

MARYLAND

HISTORICAL MAGAZINE



HOLLIDAY STREET THEATER ca. 1870

(1794-1917)

MARYLAND HISTORICAL SOCIETY
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MARYLAND HISTORICAL SOCIETY

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AND THE SHOW WENT ON . . . IN THE CONFEDERACY

BY SYLVIA G. L. DANNETT

"THEATRICALS at all points are flourishing," wrote the drama critic of *Southern Punch* in January, 1864,¹ "to the great dismay of puritans who would clothe the land in sackcloth and ashes, and thus drive soldier and civilian through the avenues of gloom into the haunts of vice and dissipation."

Incredible as it may seem the theatre in the Confederacy prospered throughout the Civil War. Along a circuit that extended from Richmond, the chief center, to Petersburg, Wilmington, Macon, Savannah, Augusta, Mobile, Montgomery and other points South, managers, stock companies and stars traveled back and forth impervious to the misfortunes of war.

That the Southern theatre managed to hold its own in the face of all the difficulties with which it was beset is in itself a remarkable achievement. Foremost among these was the

¹ *Southern Punch*, January 2, 1864.

lack of available talent. Few of the familiar big names appeared on the billboards of Secessia. Although all actors held passes to cross the battle lines, the majority preferred to remain in the North where the theatre had always been more active and where salaries were certain to be higher. At the outset many southern actors fled to the North. Others were lost to the army to act a more significant role in real life than they would have been called upon to perform on the stage. They would return from the war enriched in experience and better qualified.

John Hill Hewitt, the poet, musician and composer who became a war-time theatre manager, found his main difficulty lay in assembling an adequate group of professional actors for the Richmond Theatre. "How to gather a company was the question," he wrote in his biography later. "On the breaking out of the War, the best of the profession had fled North, thinking it the safest ground to stand upon—for actors are cosmopolites and claim citizenship nowhere. I, however, managed in a short time to collect enough of the FAG-ENDS of dismantled companies to open the theatre with a passable exhibition of novelty, if not of talent. . . . The thing took well, and money flowed into the treasury but often had I cause to upbraid myself for having fallen so low in my estimation, for, I had always considered myself a gentleman and I found that, in taking the control of this theatre and its vagabond company, I had forfeited my claim to a respectable stand in the ranks of Society—with one or two exceptions the company I had engaged was composed of harlots and 'artful dodgers'."²

Religious and lay leaders protested against the immorality which flourished in war-time Richmond. Prostitutes were doing a thriving business. Saloons prospered. The leg shows at Metropolitan Hall were vulgar displays.

Even the legitimate theatre was subject to attack. For there were many who disapproved not only of the theatre, but of gaiety of any sort, particularly after the battles when long trains of ambulance cases were brought into the city. General Lee, however, stressed the importance of recreation and entertainment for the armed forces.

² As quoted from Hewitt's Autobiography in Richard Harwell, *The Confederate Reader* (New York, London, Toronto, 1957), p. 156.

During the late spring of 1862, when Richmond audiences could hear McClellan's guns along the Chickahominy River, however, the theatre deferred to public opinion and the Richmond *Daily Dispatch*³ reported that out of respect for the dying and wounded soldiers, and the "general gloom" which pervaded the city, there had been no performance during the past week, a fact which in the editor's opinion spoke for the "humanity of those in charge."

Whether or not it was due to the approval of Lee or the need on the part of soldiers and civilians alike to find in the theatre a means of escape from the brutalities of war, houses offering plays, operas and concerts as well attracted large audiences. Even the unpopular ten cents a head tax to which people objected did not seem to deter them from their theatre-going. Collections from the Richmond Theatre alone amounted to six thousand, two hundred and forty dollars per season. The Richmond, Broadstreet and Varieties theatres provided nightly entertainment for Richmond's migratory population. At the Varieties, a repertory theatre, playbills were changed almost daily and it was customary to present two plays each night. Between the two a popular danseuse like Mary Partington would give a dance exhibition. The fare offered in these theatres was by and large on a high level.

Despite Hewitt's jaundiced viewpoint, there were a number of good actors and actresses in the Confederacy. Some came from abroad and there were others from the North. Mrs. John Drew filled a "precarious" booking in town (the price of seats for her performance not exceeding seventy-five cents), and was happily on hand to help Mrs. Clement Clay and other socialites with their amateur production of *The Rivals*.⁴ On the whole the performances received good notices from the local press who didn't hesitate to express themselves freely when they disapproved.

The most prominent of the Confederate actors was Edmund R. Dalton, although the critics did not always approve of his choice of roles. Ida Vernon, who was given preeminence in her profession,⁵ made a trip to the North and returned with

³ Richmond *Daily Dispatch*, June 7, 1862.

⁴ Mrs. Clement Clay, *A Belle of the Fifties* (New York, 1912), p. 176.

⁵ *Southern Illustrated News*, Richmond, June 11, 1864.

scripts which gave her the finest repertoire in the Confederacy. Richard D'Orsey Ogden, the indefatigable actor-manager who fancied himself a great thespian, was better known, said *Southern Punch*,⁶ as "the best abused manager in America than as an actor." Among the other artists whose names appeared with frequency in Southern papers were Eliza Wren; Sally and Mary Partington, popular danseuses of the New Richmond Company; Eloise Bridges, reputed to be the "handsomest woman on the Southern boards;"⁷ Walter Keeble, "talented actor and courteous gentleman;"⁸ Katie Estelle; Lottie Estelle, Harry Macarthy's partner; and Harry Macarthy, famous for the song, "Bonnie Blue Flag." Macarthy was an entertainer rather than an actor, but was extremely popular. At one time while playing in Petersburg, he is said to have "attracted a great jam."⁹ At the close of the war Macarthy went North. John Hill Hewitt memorialized this defection with a parody of Macarthy's "Bonnie Blue Flag," using as its refrain:¹⁰

Huzzah, Huzzah, Huzzah!—
I've dodged the shells of war
And Harry Macarthy has come off
Without a single scar.

Amateur talent was not only available but in great demand. The socially prominent of Richmond like the Carys, the Clays, and the Semmes produced plays, pantomines, and charades in their own homes, for the benefit of the needy or for their own pleasure. Often popular officers like General James E. B. Stuart would be recruited by an enterprising hostess. Stuart in particular was in demand because he could memorize lines quickly, sing, dance and put on a charade "at the drop of a hat."¹¹

The Richmond Theatre, for which Hewitt had assembled his company of "fag ends, harlots and artful dodgers," burned on New Year's Day, 1862. Hewitt escaped the fire with several burns and the loss of his personal effects, and reopened with

⁶ *Southern Punch*, October 24, 1863.

⁷ *Ibid.*, January 2, 1864.

⁸ *Southern Illustrated News*, November 2, 1864.

⁹ *The Daily Express*, Petersburg, Va., April 19, 1864.

¹⁰ *The Register*, Augusta, Ga., Hewitt Collection.

¹¹ Julia Pollard to Sylvia Dannett, May, 1961.

his company at the Richmond Varieties. Soon afterward he left for the deeper South and became actively engaged in the theatre in Augusta, Georgia.

Plans were immediately put into execution for the construction of a New Richmond Theatre with the Messrs. Hall and Regnault as the architects and builders. After many postponements because of war-time construction difficulties, which only made the Richmonders all the more eager to see the new theatre completed, the opening was scheduled for February 9, 1863, under the managership of Hewitt's successor, Richard D'Orsey Ogden. The New Richmond Theatre was advertised extensively in all the Richmond papers before its opening and in honor of the occasion, owner Magill and manager Ogden had even offered a special prize of three hundred dollars for the best inaugural poem. The prize had been won by Henry Timrod, the young and able poet of South Carolina and his poem was to be read on opening night.

Special emphasis was placed on the new theatre's dedication to dramatic art. Their company would consist of "all those favorite and artistic ladies and gentlemen now performing at the 'Varieties,' together with such materials as the South will furnish." The management would "encourage no stars," nor pay unlimited sums for stars at the expense of the stock company. They would look "only to the public for censure or praise," and not "as in the days of the Union" to those with selfish interests."¹² Rowdyism was definitely to be outlawed in the New Richmond. Audiences would be forbidden to yell, "Soup, soup" (the custom among less refined audiences) as the call boy went about preparing the stage; the sale of liquor was to be "strictly forbidden" and smoking, "placing feet upon the benches," swearing and "all unnecessary noise" would not be allowed.¹³

No one was to be admitted to the Dress Circle on opening night "unaccompanied by a lady."

Despite the lofty aims of the manager, the day before the opening John Lansing Burrows, a leading Baptist minister, inveighed against the theatre in general and the opening of

¹² *Southern Illustrated News*, February 14, 1863.

¹³ *Ibid.*

this new theatre in particular. Exercised at the immorality in the Confederate capital he deemed it fitting to condemn from the pulpit the erection of a "splendid" building in these "pinching times" of War, as well as the "strong corps of actors" and "twenty GENTLEMEN for the chorus and the ballet" who were "no cripples from the battlefields" but could sing and dance. For the serious work of "repelling a real enemy" they had "neither taste nor heart."¹⁴

After venting his disapproval at great length the minister asked the public whether this New Richmond Theatre was worthy of the "patronage and presence of reputable people?"¹⁵

The minister's point of view was not shared by many. The drama critic of the *Southern Illustrated News* called the New Richmond Theatre "the new and gorgeous temple of Thespis."

It was a gala opening night. At half past seven "a full head of gas" was turned on and the interior of the building was brilliantly illuminated. The dress circle was "lined with a bevy of handsome and bright faces . . . the soldier with his immense circular-saw spurs, jingling like so many sleigh bells—the gay gambler, with his flashy apparel . . . the quiet observer—all rise involuntarily and gaze in wonder and admiration." At quarter to eight the door in the orchestra box opened; the members of the orchestra appeared singly and took their respective seats. Professor Loebman, the conductor, nodded his head and the music started.¹⁶

As the strains of music died away, Walter Keeble came through a door under the private box to recite the Inaugural Poem by Timrod.

A fairy ring
Drawn in the crimson of a battle plain,—
From whose weird circle every loathsome thing
And sight and sound of pain
Are banished, while about in the air
And from the ground and from the low-hung skies,
Throng in a vision fair
As ever lit a prophet's dying eyes,
Gleams of that unseen world

¹⁴ As quoted in Harwell, pp. 157-160.

¹⁵ *Ibid.*, p. 160.

¹⁶ *The Southern Illustrated News*, February 10, 1863.

That lies about us, rainbow-tinted shapes
With starry wings unfurled,
Poised for a moment on such airy capes
As pierce the golden foam
Not on themselves, but on some outstretched hand,
That once a single mind suffice to quell
The malice of a tyrant; let them know
That each may crowd in every well-aimed blow,
Not the poor strength alone of arm and brand,
But the whole spirit of a mighty land!
Bid Liberty rejoice! Aye, though its day
Be far or near, these clouds shall yet be red
With the large promise of the coming ray.
Meanwhile, with that calm courage which can smile
Amid the terrors of the wildest fray,
Let us among the charms of Art awhile
Fleet the deep gloom away;
Nor yet forget that on each hand and head
Rest the dear rights for which we fight and pray.

At the end of the long and elaborate reading of the poem by Mr. Keeble, one of the actors, Charles Morton, led the full company in the singing of the "Marseillaise," considered more dignified than Dixie, and fitted out with new words that made it a completely Southern song.

The singing was followed by a tableau representing the Virginia coat of arms. A presentation of Shakespeare's *As You Like It* followed. The critic in his review appended "but not as WE LIKE IT."

The audience refused to tolerate "all rowdyism." When the "call boy" appeared in front of the curtain to fasten down the carpet and some "ill-bred persons" started to yell "Soup, soup," they were promptly silenced by the audience. The clapping of hands was "the loudest manifestation of applause evinced that night."¹⁷

In the late fall of 1863 *Southern Illustrated News* reported on recent and future stage events on the Southern circuit outside Richmond. W. D. Crisp as manager was "doing a flourishing business" at Mobile and Atlanta. Crisp had served as a captain of the artillery in the Confederate Army, but, like

¹⁷ *Ibid.*, February 21, 1863.

Lawrence Barrett preferred the role of actor-manager to that of soldier. Miss Eloise Bridges and Edmund R. Dalton were playing "with success" at Macon, Georgia. Ella Wren enjoyed such a successful engagement at the Montgomery Theatre in Montgomery, Alabama, that she was given a complimentary benefit by the local citizenry. The actress was "proud" to find she had "so many warm friends in the beautiful city of Montgomery."¹⁸ The bill included *The Daughter of the Regiment* and *Masks and Faces* with Ella Wren as Peg Woffington, C. H. Morton as Triplet, and J. J. Wallace as Sir Charles Pomander.

The Wilmington Theatre in North Carolina opened a new season under the management of the Messrs. Bates and Jenkins, with a company consisting of many well known to Richmond audiences such as Eliza L. Wren, Frank M. Bates, and Thomas R. Duncan.

Harry Macarthy was not a great favorite at this time. In fact, according to the drama critic of *Southern Punch*, he was a "dead failure" in Richmond. After performing six nights, he left his "meagre audiences." And so, reported *Punch*, "Metropolitan Hall, the great mismanaged, is advertised for rent! Poor old Hall! It has a hard time of it!"¹⁹

Twenty-two-year-old Anita Dwyer Withers, the wife of Captain John Withers, both of Texas, came to Richmond at the outbreak of war when Withers accepted the position of Assistant Adjutant General in the Confederate Capitol. Anita kept a diary of her four years in Richmond. On Friday, April 17, 1863, she noted:²⁰

We all went to the Theatre much to my dislike. The house is much prettier than I expected to find—the performance tolerably good. They played the *Carpenter of Rouen*. . . .

It was generally agreed that Ogden was a good manager but unfortunately preferred himself as a thespian, "never failing to cast himself for all the best parts," especially those which, ac-

¹⁸ *Southern Illustrated News*, January 25, 1864.

¹⁹ *Southern Punch*, November 21, 1863.

²⁰ Katharine M. Jones, *Ladies of Richmond* (Indianapolis, 1962), p. 157.

ording to one critic, allowed him to array himself "In gloss of satin and glimmer of pearls."

It seemed to be the height of his ambition to "adorn his person gorgeously" and strut upon the stage "like a pea-fowl with feathers spread."²¹

Military drama in particular suited the pulse of a military audience and proved a great feature.²² "They were," to quote Hewitt, "replete with the most gushing patriotism."²³

Plays were so successfully brought through the blockade that "the Yankees" were puzzled. The latest European dramatizations were presented in Richmond almost as soon as "posted in Gotham." Somehow or other, the zealous manager of the New Richmond Theatre continued to get hold of the latest English plays—"a decided treat to the habitués of the theatre."²⁴ *Pure Gold*, *The Ticket-of-Leave-Man*, *Jacob Vance the Deal Boatman*, and *Miriam's Crime*, introduced at the New Richmond Theatre, were "purely domestic in their complexion and purely moral in their tone" and should, suggested *Punch*, "help to avert the malediction of the most fanatical opponent of dramatic authors and representations." Unfortunately, the fact remained that "opponents of this class never read a play or visit a theatre." Rather, they "rush to hear a prominent minister denounce both."²⁵

There were successful translations of French plays such as the *Old House on the Bridge of Notre Dame*.

Eleanor's Victory, a dramatization of Mrs. M. E. Braddon's novel, in the opinion of *Punch*, adhered closely to the original, which did not "amount to much and, therefore, we can say but little."

For over a month after Gettysburg, the theatre in Richmond seems not to have functioned. Columns on the drama were left out of two papers which customarily devoted space to the legitimate theatre. By the middle of August apparently the situation was more normal, for *Southern Punch* reported that, while "habitués of the New Richmond Theatre" had been

²¹ *Southern Illustrated News*, August 29, 1863.

²² John Hill Hewitt, *Five Years Under the Confederate Flag*, Unpublished autobiography in Hewitt Collection at Emory University Library, Georgia.

²³ *Ibid.*

²⁴ *Southern Punch*, July 9, 1864.

²⁵ *Ibid.*

"regaled for some time past" with an "occasional dash into the arena of standard tragedy and melodrama," they were now being served a pleasant diet of comedy. *Mistakes in Matrimony*, an original comedy by a Southern author, had been successfully placed on the boards; *Captain Kyd*, dramatized from Professor Ingraham's novel, "with exceedingly fine scenic effects," had a run of "some nights." A new drama for the South, the *Duke's Motto*, came through the blockade and was "soon to be produced."

In October, 1863, *Jeanie Deans, or the Heart of Mid-Lothian*, an adaptation of the novel by Sir Walter Scott, was produced at the New Richmond in "splendid style."

At the Richmond Varieties "Ethiopian minstrelsy" had replaced drama. "WHITE is black, and the banjo resounds nightly," wrote the critic of *Southern Punch*. "Grand was the flourish of trumpets when Keeble the great, Morton and Co., opened its liliputian doors and fired dramatic shots from its liliputian Ridan."

By Christmas of 1863, the theatre was booming in the Confederacy. In Wilmington two places of amusement were "struggling for mastery"—the legitimate theatre and the Hall. Bates, Eliza Wren, Jenkins and "their supernumerary forces of the 'Hall,' besieged the 'Theatre,'" Miss Katie Estelle went down to "raise the siege" and return to Richmond "in triumph." Edmund R. Dalton and John Davis were managing the Savannah Theatre with Miss Eloise Bridges as their leading lady.

On Christmas Eve in Richmond, a juvenile holiday program at Concert Hall "drew an overflowing audience." The groups were "classic and very beautiful." Among the most "noticeable" were the "Angel's Whisper," "Fatal Dart," and "Feast of Roses."²⁶

That evening the New Richmond Theatre inaugurated a series of "holiday representations." Masmaniello "led off" with scenery presenting a view of Naples and, as a "grand climax," an eruption of Vesuvius. The *Punch* drama critic found the scenic displays at the New Richmond "of a description which lays in the shade all competition in the Confederacy."²⁷ The

²⁶ *Ibid.*, January 2, 1864.

²⁷ *Ibid.*

Yankees, he gloated, "could not conceive" how a "blockaded scene painter can adorn these dramatizations with his brush." There was in the critic's opinion "not a COLOR of reason in the Yankee mind for such marvelous managerial vitality."²⁸

Spectacles and "farcic performances" followed to "pleased" and "highly remunerative" houses.

In 1864 when the fall of Atlanta was just around the corner and General Philip Sheridan was soon to drive the Confederates from the Shenandoah Valley, theatricals in the Lone Star State were reported as active; Wallis, the tragedian, had a benefit at the Perkins Hall, appearing as "Richard." *The Flying Dutchman* was produced for the benefit of Mr. H. B. Walters, that gentleman appearing in the principal character.²⁹

In Richmond that April of 1864 with the bloody Battles of the Wilderness still to come, the theatre remained active.³⁰ Dalton still continued to attract large audiences nightly, as Ingomer in the *Marble Heart*, and Captain Buridan in the "blood and thunder monstrosity," *La Tour de Nesle* by Victor Hugo.

Shakespearean plays continued to be included in Southern repertoires. Actors long since forgotten, obliterated by the great names of the era, essayed roles that in the North were in the province of stars like the Booths, Sothorn and Hackett. Edmund Dalton played Macbeth, supported by Miss Eloise Bridges in the part of Lady Macbeth. It was not Dalton's first appearance in this role but his acting at this time was found to be "more subdued" and, at the same time, "more intense" than formerly.

Macbeth was a popular vehicle for the nineteenth century actors. Many then, as now, attempted this difficult role without the proper qualifications. Richard Ogden was one such misguided aspirant. His performance called forth a delightfully entertaining, albeit biting, writeup in one of the local papers. Without tongue in cheek, the *Punch* critic contended that Ogden had been fooled into the belief that he had made a "capital hit" in *Macbeth*, and persisted in giving the piece

²⁸ *Ibid.* April 9, 1864.

²⁹ *Southern Illustrated News*, May 7, 1864.

³⁰ *Ibid.*, April 16, 1864.

"with all the surroundings that are due to the great poet's idea."³¹

No little excitement was created in Richmond's dramatic circles by the unexpected arrest of Manager Ogden who was taken to Camp Lee on a Saturday as a conscript. On the following Monday the "conscript fathers" making a descent upon the "dramatic and minstrels combination" at Metropolitan Hall, arrested the entire company and marched the members to Camp Lee where "after minute examination of their papers all were discharged and returned to the city, singing "Oh, be joyfull" Ogden meanwhile protested against his arrest, took an appeal, and was granted a furlough of seven days during which time he expected to establish "his right to claim the protection of Her Britannic Majesty." His enemies charged that he had voted in Mobile after Alabama had passed the Act of Secession. Ogden's friends believed the charge was made with "malicious motives."³²

By May the matter of conscription as far as Ogden was concerned was successfully concluded. Ogden and the "Conscript catcher" made friends, shook hands and parted after his British papers were pronounced in order. Relieved from his duty at Camp Lee, Ogden promised to do his utmost on behalf of the legitimate theatre.³³

In August 1864, the *Southern Illustrated News* reported that the Augusta Theatre had been "seized as a hospital." On the other hand, at this date, despite Sherman's forward drive, Mr. and Mrs. F. M. Bates, assisted by Oliver Wren, were "giving popular entertainment in Augusta."

On November 30, 1864, the *Richmond Examiner* announced the coming of the great tear-jerker from the North, *East Lynne*, or the *Elopement*, with that "veteran and sterling actress," Mrs. Clementina DeBar. In heralding the arrival of "the rarest treat yet offered to the playgoing public," *Southern Illustrated News*, which generally carried news of activities in the theatre in the North, gives a nice little tidbit on *East Lynne's* theatrical history:³⁴

³¹ *Southern Illustrated News*, October 31, 1863.

³² *Ibid.*, April 16, 1864.

³³ *Ibid.*, May 7, 1864.

³⁴ *Ibid.*, August 20, 1864.

As an evidence of its great popularity in the city of Baltimore alone we may mention the fact that Miss Lucille Western was engaged at the [Holliday] theatre of Mr. John T. Ford at a salary of FIFTY DOLLARS per week, and while there bought of Mr. Tayleure the copyright of "East Lynne" for the United States. After making the necessary arrangements the piece was put upon the stage, and so great was its success as to justify Mr. Ford, in three weeks after its first representation, in increasing Miss WESTERN's salary to the enormous amount of FIVE HUNDRED DOLLARS PER WEEK. The piece has been produced with the same flattering results in nearly every city in the North.

Mrs. DeBar did not play the lead, but gave an "exquisite personation of the well bred termagant" and drew "shouts of approving laughter," thereby contributing "in no small degree" to the full success of the play.³⁵

The star of the evening was blockade-runner Ida Vernon, who was looked upon by one critic "as an artist . . . preeminently at the head of her profession in the South." He found it "difficult to imagine a more acceptable representative of the character of 'Isabel Carlyle' than Miss Vernon." In his eyes, she possessed "all the essential requisites to dramatic effect—an expressive face, faultless elocution, a fine figure, easy natural movement" plus the far higher praise of "genuine artistic merit." The critic became completely carried away by his own prose as well as the eloquence of Miss Vernon. "When in the plain garb of the Good Sister she wanders back to the bedside of her dying child," he wrote, no doubt with a lump in his throat, "the highest, holiest spirit of womanly endurance is typified in the sublime pathos of the last sad scene." In Miss Vernon's hands *East Lynne* was destined to become "as popular in the South as Miss Western made it in the North."³⁶

³⁵ *Ibid.*, September 3, 1864.

³⁶ *Ibid.*

Miss Vernon was scheduled to appear next as Leah, the Jewish maiden in *Leah the Forsaken*, and this same critic was sure *Leah* in the hands of Miss Vernon would "doubtless become even more popular than 'East Lynne.' "

Edward A. Wyatt writes that during the siege of Petersburg the theatre "may have served the soldiers and citizens in their persistent efforts to lighten the gloom with entertainment, but as the lower section of the city suffered more than any other from Federal bombardment, it must have been abandoned soon after the siege began. . . . Houses in Bellingbrook Street mutilated by shells are among the most familiar subjects of war photographs. The theatre shared their fate."³⁷

During the first five months of 1864 the theatre was active in Petersburg and the following advertisement appeared frequently in the *Southern Illustrated News*.³⁸

Petersburg Theatre

Lessee and Manageress Miss Katie Estelle

This theatre is now open for a season of six months. Ladies and Gentlemen of the Theatrical profession, wishing engagements, will apply to

James Harrison,
Acting and Stage Manager
Petersburg

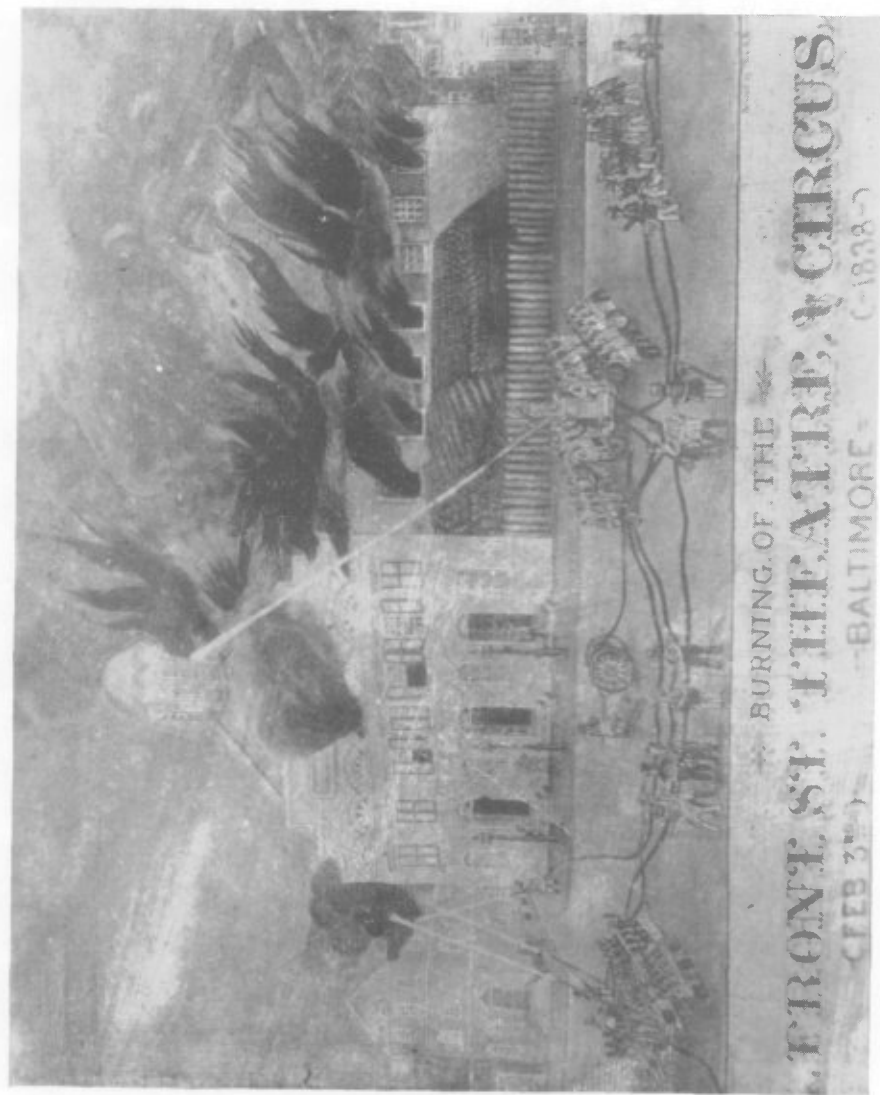
After the issue of May 7, 1864 there were no further advertisements and, on June 11, a notice appeared in the *Southern Illustrated News* that the company at the New Richmond Theatre "was augmented by the addition of Miss Estelle and Mr. James Harrison, late of the Petersburg Theatre."

When the victorious Federal army entered Petersburg, some of the soldiers took over a printing plant and issued a newspaper which carried the following items:

We were in the old building once used for theatrical purposes; from the stage where the players once split the ears of the groundlings or tore their own passion to tatters, we could see

³⁷ Edward A. Wyatt, IV, "Three Petersburg Theatres" *William and Mary Quarterly*, XXI, No. 2 (April 1941), 100-101; McGroarty, pp. 109-110.

³⁸ *Southern Illustrated News*, April 16, May 7, 1864.





HOLLIDAY STREET THEATRE,

JOHN T. FORD - - - - - Proprietor.

NO. 60.

WEDNESDAY, MAY 11, 1870.

VOL. 1.

Engagement of

THE GRAND COMBINATION

Of Artists known as

BIJOU JENNY WILMORE

And her

BURLESQUE TROUPE!

This Company is headed by the beautiful

LIZZIE WILMORE,

The Queen of the Burlesque Stage, with the celebrated
English Comedian,

FELIX ROGERS,

The charming Comedienne and Vocalists,

THE WILMORE SISTERS,

The celebrated

PITT SISTERS,

And others.

To commence with the Drama,

MY NAME'S BILES;

OR

MIRIAM'S CRIME.

Biles, a Lawyer's Clerk,

Mr. FELIX ROGERS

Bernard Reynolds,

Mr. WOOD

Huffin, a Lawyer,

Mr. G. HOWARD

Scumley,

Mr. P. A. ANDERSON

Daniel, a Servant.

Mr. W. H. BURTON

Miriam,

Miss LIZZIE WILMORE

Mrs. Raby,

Mrs. Preston

Followed by the Grand Burlesque of

PYGMALION;

OR,

THE BEAUTIFUL STATUE FAIR.

Immortals.

Venus, the Goddess of Love and Beauty,

Miss EMILY PITT

Cupid, her Son,

Miss FANNY QUEEN

Psyche,

Miss POLLY PITT

Prettiphare, a Nymph,

Miss L. HARRISON

Verinice,

Miss QUEEN

Mortals.

King Astyages, a Heavy Father with a

Daughter on his hands, whom he is

anxious to get off,

Mr. H. WOOD

Harpagus, the General,

Mr. ANDERSON

Pygmalion, a renowned Sculptor,

Miss LIZZIE WILMORE

Gambyes, his Apprentice,

Mr. FELIX ROGERS

Phlunkeyon, Pygmalion's Servant, **Mr. BURTON**

Menialides,

Mr. SINCLAIR

The Princess Mundane, an old Maid,

Mr. G. HOWARD

Mopsa, a Maid of all work and no play,

Miss POLLY PITT

Semi-Mortals.

The Statue, Pygmalion's most successful work, an unmistakable "hit," which afterwards becomes an equally unmistakable "miss," made for sale by the Sculptor, but really soul'd by Psyche, with her song, "Pretty Little Daisey,"

BIJOU JENNY WILMORE

In preparation, a grand Burlesque on the BOHEMIAN GIRL, and a new drama, MILKY WHITE.

The Programmes are Perfumed by JOHN V. HOFFMAN, 97½ Lexington street.

TATTERS enough sticking out in all the brick sides of the building and on the floor evidence sufficient, that the *ground* is sometimes *split* by a striking actor.

Two days after Federal troops entered Richmond the *Evening Whig* announced "the theatre will be opened tonight under the management of R. D'Orsey Ogden.³⁹ The play selected for the occasion is *Don Caesar Der Bazan*, invitations have been sent to President Lincoln, General Weitzel, General Selby and other officers of distinction. An efficient guard has been detailed by the Provost Marshal to preserve order." Two days later, three days still before the surrender of General Lee, the paper stated "the minstrel troupe at the Varieties will open their usual budget of fun with new Union jokes."⁴⁰

³⁹ *Richmond Evening Whig*, April 4, 1865.

⁴⁰ *Ibid.*, April 6, 1865.

FAILURE OF A MISSION: REVERDY JOHNSON IN LONDON, 1868-1869.¹

BY ADRIAN COOK

EARLY in 1868, Charles Francis Adams, the distinguished diplomat who had represented the Union in London all through the years of civil war and upheaval, resigned his post, and President Andrew Johnson began searching for a new minister. A number of people in high places expected the Secretary of State, William H. Seward, to take the appointment. Impeachment was already under way; there were persistent rumors that the Secretary and the President did not agree, and the Democrats would not give wholehearted support to an administration which retained him. His old political manager, Thurlow Weed, favored Seward's appointment, and went so far as to write him a letter advocating it which could be shown to the President to clinch the matter. But Seward would not hear of it, and Andrew Jackson had settled upon General George B. McClellan, commander of the Army of the Potomac during the first eighteen months of the war and the Democratic nominee in 1864, almost as soon as he heard of the vacancy. Seward put forward two or three candidates (one, curiously, was Hamilton Fish, the New Yorker who became Secretary of State under President Grant), but Johnson had made up his mind, and nominated McClellan.² As he might have antici-

¹ Acknowledgments and thanks are due to Professor David Donald of The Johns Hopkins University and Dr. W. R. Brock of Selwyn College, Cambridge, who directed the doctoral research upon which this article is based, and to the British Association for American Studies, whose award of a Rockefeller Grant Fellowship made the research possible.

² Thurlow Weed to Seward, February 3, 1868; Seward to Weed, February 5, 1868, Seward Papers, Rush Rhees Library, University of Rochester, Rochester, N.Y. [Hereafter cited as Rush Rhees]. Howard K. Beale, assisted by Alan Brownson (eds.), *The Diary of Gideon Welles* (New York: W. W. Norton and Company, Inc., 1960) III, pp. 256-257; John Bigelow, *Retrospections of an Active Life* (Garden City, N.Y.: Doubleday, Page and Company, 1913), IV, p.

pated, the Senate majority would not have him. The President then selected Reverdy Johnson, Senator from Maryland, and this time the Radicals concurred.

Johnson seemed an excellent choice. He was the acknowledged leader of the American Bar; he had been a Senator twice, Zachary Taylor's Attorney-General, and a strong Unionist in a state dangerously attracted to secession. In Congress, he had emerged as the ablest of the War Democrats, and his vote for the Military Reconstruction bill, lest the Radicals should be driven into something worse, showed a disposition to accept the results of the war three years before Vallandigham advocated the "New Departure." But in the intellectually bankrupt Democratic party of 1865-1870, with its standpat policy of "the Constitution as it is, the Union as it was, and the niggers as they were," Johnson was accused of currying Radical favor to have his son-in-law confirmed as United States Attorney for Maryland,³ and the redeemer Swann legislature of his State refused to re-elect him. The President, remembering his services during impeachment, was more forgiving.

Anglo-American relations were then racked by several grave disputes. The most spectacular was the controversy over the Alabama Claims, American demands for compensation for the damage that Britain had done by her partiality to the Confederacy during the Civil War. Not only had Britain allowed Confederate raiders like the *Alabama*, the *Florida*, and the *Shenandoah* to escape from her ports, and failed to intercept them when they called at harbors in her colonies; in American eyes, Britain had deliberately plotted to break up the Union. As evidence, they cited the Queen's Proclamation of Neutrality, granting the Confederacy equal belligerent rights with the Union, which they claimed had been issued long before events justified it, and which strengthened the position and prestige of the secessionists immensely.

Besides this, there was the San Juan dispute, a quarrel over the boundary between Washington Territory and British Columbia in the Straits of Vancouver which had been dragging

155, Diary, February 21, 1868; *Harper's Weekly*, July 4, 1868; LaWanda and John H. Cox, *Politics, Principle and Prejudice, 1865-1866. Dilemma of Reconstruction America* (New York: The Free Press of Glencoe, 1963), p. 59.

³ Diary of Gideon Welles, *op. cit.*, pp. 55-56, Saturday, March 2, 1867.

on ever since 1846, and which had almost been settled in 1860, when the outbreak of civil war had forced the United States to postpone agreement to a treaty providing for arbitration by the President of the Swiss Confederation. And, perhaps most dangerous of all in 1868-1869, there was the problem of naturalization.

At that time, Britain still did not admit the right of any subject of the Queen to discard his allegiance and assume another nationality. Once a subject, always a subject; and if any naturalized American citizen came back to his birthplace in Great Britain or Ireland, he was treated by the authorities like any other subject of the Queen. After the Fenian uprising in March, 1867, large numbers of Americans were arrested in Ireland and charged with complicity. Their legal status posed some thorny diplomatic problems. Most of them were Irishmen who had emigrated to America and become naturalized. But, according to the British doctrine, they were still subjects of the Queen and could be charged with treason. The mere act of joining a Fenian circle in New York or Boston would be sufficient evidence to convict; for, even while living in America as naturalized American citizens, the Irishmen had never been anything but subjects of the Queen in the eyes of the British courts.

Naturally, this doctrine aroused great resentment in America. The British action, wrote Seward, "has awakened a general feeling of resentment and deeply wounded our pride of sovereignty. The people are appealing to this government throughout the whole country, from Portland to San Francisco and from St. Paul to Pensacola."⁴ The Secretary of State repeatedly asked the British to sign a treaty renouncing the principle of indefeasible allegiance; Lord Stanley, while making it clear that he was not disposed to uphold a legal survival from the Middle Ages, insisted upon waiting for the report of a Royal Commission that was examining the effect a naturalization treaty would have upon the laws of inheritance and succession. Heedless of Seward's warnings about the inflamed state of American public opinion, unaware of the good he was doing the Fenian cause, Stanley added that, in any case, Parliament

⁴ Seward to Adams, No. 2119, January 13, 1868, Diplomatic Instructions, Great Britain, National Archives, Washington, D.C. [Hereafter cited as N.A.]

would not have time to pass a naturalization law that session.⁵

So, when Seward came to write Reverdy Johnson's instructions, naturalization was uppermost in his mind. The United States, the Secretary said, preserved a rigid neutrality towards the Fenian movement. But this involved so much difficulty and inconvenience that they were entitled to a similar consideration and liberality from Great Britain. Instead, the British were acting in a way that would result in an "extensive and profound alienation" of the two countries. It was difficult to see why Great Britain insisted upon its policy of procrastination; it did no good to the British and only crippled attempts to spread cordiality and good feelings towards them in America. This was the most outstanding question and must be settled before any of the other sores could be healed. Should Stanley give in, the recent American naturalization treaties with the North German Confederation, Bavaria and Wurtemberg should be used as a model in negotiating.

If the naturalization question was composed, the San Juan problem should be taken next. The United States was willing to refer this to arbitration. Only then was Johnson to turn to the Alabama Claims. Seward thought that, without reviewing previous discussions (which would raise the spectre of the Proclamation of Neutrality, the issue upon which other negotiations had deadlocked, since the British asserted that it was a matter of sovereignty and national pride, and could never be submitted to arbitration), the two countries might agree on a joint commission to consider and decide all grievances, as they had in 1853. (This would leave the terms of reference open, and let the commission itself decide whether to include the timing and effect of the Neutrality Proclamation in the arbitration.) But Johnson was only to sound Lord Stanley about this course and was not to commit the United States to it. And since he was only to introduce this after San Juan and naturalization

⁵ Seward to Adams, Numbers 2141, 2144, 2165, March 7, 23, May 27, 1868, Diplomatic Instructions, Great Britain, N.A. Seward to Benjamin Moran, Numbers 5, 14, May 27, June 22, 1868, Diplomatic Instructions, Great Britain, N.A. Seward to Edward Thornton, May 28, June 9, 1868, Notes to the British Legation, N.A. Adams to Seward, Numbers 1562, 1565, March 28, April 11, 1868, Diplomatic Despatches, Great Britain, N.A. Moran to Seward, No. 53, June 16, 1868, Diplomatic Despatches, Great Britain, N.A. Lord Stanley to Thornton, No. 54, March 16, 1868, F.O.: 5:1126; No. 135, June 16, 1868, F.O.: 5:1356, Public Record Office, London. [Hereafter cited as P.R.O.]

were safely tucked away, it seems unlikely that Seward really expected to gain an Alabama Claims settlement in the seven months left to him,⁶ although he thought it would be a good thing if the new Administration in the United States and the first British Government after the passage of the Reform Act could start with a clean slate.⁷

When Reverdy Johnson arrived in London in mid-August, he found court and Parliament scattered and both the Queen and Lord Stanley on the Continent. It was September 10 before he met the Foreign Secretary, the 14th when he was presented to the Queen, and the 25th by the time negotiations started.⁸ In the meantime, Seward had fired off two more complaints about the "entire inattention" of the British to his protests about the naturalization issue, the difficulties of repressing the Fenians under such circumstances, and the inflammability of American public opinion. It was vital, he wrote, that the naturalization quarrel should be settled before Congress met in December.⁹

However, when he heard that Parliament could not pass a naturalization law until the spring, Seward gave Johnson the power to go on with the other negotiations once he was convinced that a satisfactory arrangement could be made on the first question. But he made a large reservation: such negotiations could not be completed or considered binding until either a naturalization treaty or a law was safely delivered.¹⁰ Johnson tried to persuade Stanley into a convention with the argument that it would be well for the British to put their desire for a settlement on record, and that it need not go into effect until the Royal Commission reported and Parliament acted. But Stanley would have none of this, and Johnson had to be con-

⁶ Seward to Johnson, No. 2, July 20, 1868, Diplomatic Instructions, Great Britain, N.A.

⁷ Seward to Johnson, No. 20, September 23, 1868, Diplomatic Instructions, Great Britain, N.A.

⁸ Johnson to Seward, Numbers 1, 15, 20, August 29, September 15, 25, 1868, Diplomatic Despatches, Great Britain, N.A.

⁹ Seward to Johnson, Numbers 7 and 20, August 27, September 23, 1868, Diplomatic Instructions, Great Britain, N.A.

¹⁰ Johnson to Seward, No. 14, September 12, 1868, Diplomatic Despatches, Great Britain, N.A.; Seward to Johnson, No. 20, September 23, 1868, Diplomatic Instructions, Great Britain, N.A.

tent with a protocol of principles, which the two signed on October 9.¹¹

In this document, said Henry Adams, "the British Government abandoned all its old theories of citizenship, and conceded all, and more than all, that had ever been asked by the United States."¹² Its terms were wider than the North German ones; there was no five-year waiting period after naturalization before the country of birth abandoned its claims on the citizen. A native subject of Great Britain who became naturalized in the United States ceased to owe any allegiance to the Queen, and if he ever re-entered British jurisdiction, the authorities were bound to consider him "in all respects and for all purposes" an American citizen.¹³ Seward thought the protocol "brief, simple, effective, and therefore as satisfactory as any arrangement that could be made without waiting for legislation," and commended Johnson.¹⁴

The Minister then turned to the San Juan dispute, and in a week had signed a protocol for its settlement, by arbitration.¹⁵ Seward excitedly cabled "Can you hasten claims convention?"¹⁶ Until then, he had probably wished that the Alabama Claims could be liquidated, without believing that this was likely in the short time remaining of his term. Seward was inordinately proud of his record as Secretary of State, of the number of treaties he had negotiated—as many as had been made during the whole previous existence of the republic—and

¹¹ Stanley to Thornton, No. 197 (Draft), October 9, 1868, F.O.: 5:1356, P.R.O. Johnson to Seward, Numbers 20, 28, 29, September 25, October 7, 9, 1868; telegram of Johnson to Seward, October 9, 1868, Diplomatic Despatches, Great Britain, N.A. Telegram of Seward to Johnson, October 7, 1868, Diplomatic Instructions, Great Britain, N.A.

A protocol is a statement of principles on which a treaty will be made, or a rough draft for a treaty. A convention is a definite treaty; the word is usually applied to treaties not important enough to be designated by a place-name.

¹² Henry Adams, "The Session," *North American Review*, April, 1869, p. 630.
¹³ Johnson to Seward, No. 30, October 9, 1868, Diplomatic Despatches, Great Britain, N.A.

¹⁴ Seward to Johnson, No. 31, October 26, 1868, Diplomatic Instructions, Great Britain, N.A.

¹⁵ Johnson to Seward, No. 35, October 17, 1868, Diplomatic Despatches, Great Britain, N.A.

¹⁶ Telegram from Seward to Johnson, October 25, 1868, Diplomatic Instructions, Great Britain, N.A.

of his diplomatic prowess.¹⁷ It was only natural that he should jump at the chance of settling the Alabama Claims.

Johnson had already asked for power to sign a claims convention modelled on the Anglo-American treaty of 1853, and had enquired if he could consent to leave everything to the King of Prussia's arbitration. Seward agreed that the instrument should follow the 1853 agreement, but ordered Johnson to refrain from naming the arbitrator. The convention would have to go before the Senate and the country, and objections would inevitably be raised to anyone named in advance. When the convention went into effect, the two governments could always tell the commissioners to agree upon an arbitrator acceptable to both of them.¹⁸ With this in mind, Johnson went ahead at incredible speed. In a mere ten days, the convention was made and on November 4, Johnson wrote Seward that he had just emerged from final consultations with Stanley and Attorney-General Kerslake. The Queen and the Cabinet had to examine their work, but otherwise, it was all over but the signing. The Minister explained that he had hurried the negotiation to get it over while the Disraeli Government retained its feeble grasp on office. Though he knew the Liberals would look favorably upon an accommodation with America, he feared they might ask for modified terms, and throw the negotiations back to the start.¹⁹ So far, everything was perfect. And then, suddenly, things began to go wrong.

Seward received the San Juan protocol, and immediately cabled that the President of the Swiss Federal Council must be named as the arbitrator. Probably, he wanted to present the agreement to Congress and the public as exactly the same one that the Senate had approved in 1860, though Johnson might have been pardoned for referring the Secretary of State to his own cable of October 24 about the Alabama Claims. But Stanley made no objection to naming the Swiss head of

¹⁷ *Diary of Gideon Welles*, op. cit., pp. 76, 504, Saturday, March 30, 1867; Tuesday, January 12, 1869.

¹⁸ Two telegrams of Johnson to Seward, October 20, 1868, Diplomatic Despatches, Great Britain, N.A. Telegram of Seward to Johnson, October 24, 1868, Diplomatic Instructions, Great Britain, N.A. Telegram of W. Hunter to Seward, October 20, 1868, Seward Papers, Rush Rhees.

¹⁹ Johnson to Seward, No. 44, November 4, 1868, Diplomatic Despatches, Great Britain, N.A.

state, and the change was formalized in a supplementary protocol.²⁰ Then, on November 11, without having received the full text of the claims convention, Seward cabled that it was "absolutely essential" the commission should sit in Washington. Johnson replied that he would try to secure this, but added that the idea was completely new to him. He had agreed to London as the meetingplace of the Commission because most of the claims would be concerned with the Confederate cruisers, and all the evidence was in England. And again, the umpire would almost certainly be a European head of state, and much time would be lost in communicating with him from Washington. There was nothing about this in his instructions; and Johnson, with the expertise of the great courtroom lawyer, flourished a dispatch which Seward had written to Adams in 1862 saying that choice of a meeting-place was not important enough to insist on if an agreement was made to arbitrate.²¹ Stanley once more proved complaisant, the alteration was made, and things began to look bright again. On November 24, Johnson cabled asking whether the San Juan protocol could be made a convention, an obvious step towards a full and final settlement. No answer came, and puzzled, he cabled once more on the 26th.²² Later that day, his answer came, a real bomb-shell: "Let San Juan rest. Claims convention unless amended is useless."²³

Such complaining, patching and mending give the impression that Reverdy Johnson was the greatest bungler ever entrusted with an important diplomatic mission, and Seward managed to leave his fellow cabinetmembers with that idea. Orville Hickman Browning, Secretary of the Interior, found Seward "greatly disappointed." He "announced the failure of the

²⁰ Telegram of Seward to Johnson, November 7, 1868, Diplomatic Instructions, Great Britain, N.A.; telegram of Johnson to Seward, November 7, 1868; Johnson to Seward, No. 48, November 10, 1868, Diplomatic Despatches, Great Britain, N.A.

²¹ Telegrams of Seward to Johnson, November 11, 12, 1868, Diplomatic Instructions, Great Britain, N.A. Telegrams of Johnson to Seward, November 12, 16, 24, 1868; despatches of Johnson to Seward, Numbers 53, 61, November 14, 23, 1868, Diplomatic Despatches, Great Britain, N.A.

²² Telegrams of Johnson to Seward, November 24, 26, 1868, Diplomatic Despatches, Great Britain, N.A.

²³ Telegram of Seward to Johnson, November 26, 1868, Diplomatic Instructions, Great Britain, N.A.

negotiations for the settlement of the Alabama Claims, saying that Mr. Johnson had exceeded his instructions and assented to terms which were inadmissible. . . . Mr. Johnson's failure to bring the matter to a satisfactory conclusion had made him sick."²⁴ The Secretary of the Navy, Gideon Welles, had developed a healthy hatred of Seward during the seven and a half years they had served together, and he viewed the scene with more malice. Seward, he wrote, had "a queer expression on his countenance" when he entered the Cabinet room. The two of them were the first arrivals, and Welles asked Seward what was wrong. The Secretary of State said he was "sick, quite sick." He had got "the damndest strange thing from Reverdy Johnson for a protocol." He submitted the document to the President and Cabinet "with a lugubrious look which cannot be described. Intended to be sad and grieved, but with a lurking laugh. . . . The whole thing, he said, was wrong, contrary to instructions, must be sent back."²⁵

Seward came nearer the truth when he told Johnson that the cable had proved deceitful. He expected Johnson to adhere more closely to the 1853 convention than he had done, and wrote his cable despatches under that impression. However, these telegrams were also liable to be interpreted by Johnson as approving his course.²⁶ Johnson did not exceed instructions, because he had none on the Alabama Claims, and only inadequate ones on San Juan. The true burden of responsibility for the muddle and mistakes of the Johnson negotiations must fall on Seward. He gave nothing but an outline as a guide, and encouraged Johnson to press on at frantic speed, instead of ordering him to cable the convention part by part for approval. Despite his long tenure of the State Department, Seward was not practiced in negotiating constructively from a distance. He had gained his diplomatic experience during the war years, when the sole questions of policy were deterrent: how could the powers of Europe be stopped from aiding the Confederacy?

²⁴ James G. Randall (ed.), *The Diary of Orville Hickman Browning* (Springfield, Illinois: Published by the Trustees of the Illinois State Historical Library, n.d.), II, pp. 227-228, Tuesday, November 24, 1868.

²⁵ *Diary of Gideon Welles*, op. cit., p. 468, Tuesday, November 24, 1868, Hearing such reports, Reverdy Johnson protested to Seward. Johnson to Seward, No. 65, November 28, 1868, Diplomatic Despatches, Great Britain, N.A.

²⁶ Seward to Johnson, No. 47, November 27, 1868, Diplomatic Instructions, Great Britain, N.A.

Treaties he either negotiated himself (like the purchase of Alaska); or, he gave his plenipotentiaries a general statement of what he wanted, and accepted what they could get (like the Bancroft-Bismarck naturalization treaty). This system was bound to come to grief sooner or later, and it was only Reverdy Johnson's bad luck that the disaster happened to him.

Between November 24 and 27, the members of the Cabinet thought over the terms of the Johnson-Stanley convention and considered what to do. Gideon Welles went to see the President and found him anxious to submit the treaty for ratification as it was. He was not sure what Seward thought was wrong with it, and Welles advised him to wait until the Friday Cabinet meeting. Then the Secretary of State would present his draft despatch to Reverdy Johnson.²⁷

When Friday came, the gravamen of Seward's objections proved to be that the treaty discriminated against the Alabama Claims. It provided that a joint commission should be set up to consider all British and American claims. These, of course, included the Alabama Claims. But, before they came before the commission, the two governments could fix upon a head of state as an arbitrator, to whom these claims alone would be referred if the four commissioners could not come to unanimous agreement about them. Seward said this singled out the Alabama Claims invidiously; all the others were to be decided by a majority vote of the commissioners and if there was deadlock an arbitrator, chosen either by their agreement or by lot, should decide.²⁸

Such a limitation could not be accepted; the Alabama Claims should be treated just like the others. Again, the article dealing with evidence required that only the official correspondence about the Alabama Claims should be presented to the commissioners or the arbitrator, though they could call for verbal argument or additional evidence if they wanted to. Seward

²⁷ *Diary of Gideon Wells*, op. cit., pp. 469-470, Wednesday, November 25, 1868.

²⁸ Seward to Johnson, No. 47, November 27, 1868, Diplomatic Instructions, Great Britain, N.A.

Seward wanted to put all the claims on the same footing to avoid the criticism that more was being done for British claims against America than for the Alabama Claims. Thornton to Clarendon, January 5, 1869, Clarendon Papers, Bodleian.

thought that either government should be left free to submit evidence and argument as it liked. In making these objections, Seward was wasting his time. As the future was to show, Reverdy Johnson's convention had many faults, but Seward did not discover them. His amendments of minor matters of procedure left the flawed principles untouched.

Seward's draft came under heavy fire from his colleagues. The President thought that the British agreement to arbitrate was the great thing. All the cases would have to go to the arbitrator in any case, and it did not matter whether one or all of the commissioners sent them there. Browning and Attorney-General Evarts²⁹ would have liked the terms modified so that the only discrimination as to the Alabama Claims should be in the selection of a head of state as arbitrator.³⁰ Secretary of the Treasury McCulloch wanted to know whether Seward would accept the protocol if he could not get better terms, but the latter confidently replied that the English would certainly yield. Finally, the President said that a decision on the despatch would be taken the following Tuesday. Seward was up in arms at this, wanted to cable that afternoon, and claimed he could get a favorable answer within the week. The President asked Welles into the library and told him that "he wished the subject disposed of during his Administration or that the Senate should be responsible for the delay." Welles replied that he had no great confidence in Seward; nevertheless, he would be offended if others tried to rule him, and he might as well be given a chance to see what he could get. The President agreed, and, going back into the council room, he told Seward to cable.³¹

Within a few hours, the new terms were on their way to Reverdy Johnson who was sorely puzzled and could think of nothing that he had done wrong.³² Seward added that he considered the changes essential to ratification by the Senate, and authorized Johnson to apologize to the British and tell them

²⁹ William Maxwell Evarts, later to be Secretary of State under Rutherford B. Hayes.

³⁰ *Diary of Orville Hickman Browning*, op. cit., p. 228, Friday, November 27, 1868.

³¹ *Diary of Gideon Welles*, op. cit., pp. 470-471, Friday, November 27, 1868.

³² Johnson to Seward, No. 65, November 28, 1868, *Diplomatic Despatches*, Great Britain, N.A.

that there had been a genuine misunderstanding. If Stanley agreed to the changes, Seward thought it would be better to make a protocol rather than a convention: a welcome sign of caution. Yet, in his cable, he stressed that "time is important."³³ It had already run out; the Disraeli Government had only days to live, and Gladstone, with Lord Clarendon as his Foreign Secretary, took office on December 10. Consequently, the claims convention had to wait, and George Bancroft, the great American historian who was then serving as Minister to Prussia, found a cloak of silence spread over the entire question. Bancroft tried to pump the British Ambassador in Berlin, but disconsolately reported that "in an hour's conversation, I could not get one word out of him on the subject."³⁴

Neither Stanley nor Clarendon took kindly to Seward's proposed changes. They agreed that the Alabama Claims raised such issues that it was advisable to have an arbitrator of dignity, authority and stature, and that either government would find it easier to defer to the judgment of a head of state than they would to an ordinary arbitrator's, however eminent he might be.³⁵ Clarendon offered a watered-down version of the original: if the four commissioners, or two of them, found themselves unable to decide any claim and thought that it should be left to the arbitration of a foreign state, they should report this to their governments, who would agree upon a suitable head of state within six months.³⁶

This provided for the Alabama Claims, implicitly, rather than explicitly. Seward wanted a fuller version; the first thing the commissioners should do was to name someone as arbitrator, and any claim they could not decide upon was to go to him. On any and every claim, the arbitrator could be a head of state, and in choosing him, the commissioners could refer to

³³ Telegram from Seward to Johnson, November 27, 1868; Seward to Johnson, No. 47, November 27, 1868, Diplomatic Instructions, Great Britain, N. A. Edmund Hammond to Thornton, December 19, 1868; Clarendon to Thornton, December 26, 1868, Clarendon Papers, Bodleian Library, Oxford. [Hereafter cited as Bodleian] Clarendon was against making a protocol first because he did not want the treaty to face the Senate twice.

³⁴ George Bancroft to Seward, December 19, 1868, Seward Papers, Rush Rhees.

³⁵ Johnson to Seward, Numbers 72, 80, December 5, 16, 1868, Diplomatic Despatches, Great Britain, N.A.

³⁶ Telegram from Johnson to Seward, December 18, 1868, Diplomatic Despatches, Great Britain, N.A.

their governments for instructions. If so, the two governments should agree on someone within six months. If they failed to do so, each pair of commissioners, the British and the American, should name someone to arbitrate; he could be a head of state or not, just as long as they chose. When they found themselves unable to pronounce upon a claim, lots should be cast to decide which arbitrator, the British nominee or the American, should make the ruling.³⁷

Clarendon did not mind the first part of this proposal, but he thought the second part, concerned with what should be done if the two governments failed to agree upon an arbitrator, was impossible. It called the good faith of the nations in question by implying that they might not be able to agree on such a matter. And no head of state would accept a call from the commissioners, thinking it discourteous to the two governments to take up such a charge. Neither would the Foreign Secretary agree to make the agreement a protocol, instead of a convention. Seward's suggestion that it should be signed in Washington he thought an insult to Stanley and the Disraeli Government. He was fully supported on all these points by the Cabinet.³⁸ Privately, Johnson warned Seward that the British suspected he did not want a settlement by arbitration. The Minister succeeded in removing this impression for the time being, but it remained in the British mind, strengthened by the unfortunate appointment of a known Fenian to be the United States Consul at Leeds. The Cabinet was united in the opinion that Seward was asking for more than could be honorably conceded, more than was necessary for a settlement, and no one believed so more strongly than two well-known friends of the Union during the war, John Bright and the Duke of Argyll.³⁹

³⁷ Seward to Johnson, December 20, 1868, Diplomatic Instructions, Great Britain, N.A.

³⁸ Johnson to Seward, Numbers 86, 87, December 23, 24, 1868, Diplomatic Despatches, Great Britain, N.A.

³⁹ Johnson to Seward, December 26, 1868, Seward Papers, Rush Rhees.

Clarendon had long been convinced that one party or the other in America would try to exploit the Alabama Claims during the Presidential elections. "My conviction is," he wrote early in 1868, "that the moment they have set their house in order they will proceed to *ascertain the relative strength* of the two countries and that we may choose between humiliation and war." "I sincerely hope the new Yankee may be found pleasant," he observed upon hearing

There, from Christmas until the middle of January, the negotiations rested, since the steamer carrying Reverdy Johnson's despatches was delayed.⁴⁰ When an answer eventually came from Seward, it proved to contain a complete capitulation on terms. He disputed only a few matters of phrasing.⁴¹ These were quickly arranged, and on January 14, the three treaties dealing with naturalization, San Juan and the claims, were signed.

The claims convention provided "a full and final settlement." All claims by citizens of Great Britain or the United States upon the other country were to go before a commission of four, two members from each country. It would sit at Washington. The first thing the commissioners were to do was to agree upon an arbitrator, and any claim they could not decide about was to be submitted to his final decision. If they could not agree upon one person, each side was to appoint an arbitrator, and lots should be cast to decide which arbitrator should rule on each disputed claim. But if the commissioners, or any two of them, thought it desirable that a head of state should be arbitrator on any claim (this, of course, meant the Alabama Claims), they should report this to their respective governments, who, in their turn, were to appoint one within six months. As to evidence, the commissioners and the ordinary arbitrators were to be given the official correspondence between the two governments on the claims and any statements either nation wanted to make, and they were to hear one person advocate the case of each side on every claim. The head of state, however, was to be given only the written evidence. If a

of Reverdy Johnson's arrival, "but they one and all want to make political capital out of England." Clarendon to Hammond, January 16, 22, 30, February 6, 13, August 31, 1868, F.O.: 391:4 P.R.O.

⁴⁰ Numbers 86 and 87, referred to in note 38, above.

⁴¹ Seward to Johnson, No. 59, January 12, 1869, Diplomatic Instructions, Great Britain, N.A.

Though not without some travail. When he first saw the British reply, Seward despaired of achieving a treaty that would satisfy both the Government in London and the Senate in Washington. Their proposal, he said, would be interpreted as distinguishing between the Alabama Claims and the other claims, and neither the Senate nor the American people would approve that. Thornton also detected wounded vanity in Seward's attitude, for he had been "extremely proud" of his December 20 formula, "though it is in general miserably weak and confused." After many objections and much talk, "not of an entirely pleasant nature," the Secretary of State finally gave in. Thornton to Clarendon, January 12, 1869, Clarendon Papers, Bodleian.

decision involving compensation was arrived at by either kind of arbitrator, the amount was to be set by the commissioners. If they could not agree, it was to be decided by the arbitrator who handed down the decision.⁴²

For all his quibbling and objections, Seward had gained remarkably little. Instead of being made the subject of an explicit reservation, the Alabama Claims were now dealt with by an implicit understanding. Both Stanley and Clarendon had yielded on the Neutrality Proclamation, which was obviously going to be brought into the arbitration by the Americans. But they had saved British face by not letting it in openly themselves, and they were free to complain about its introduction if necessary. The vital thing was that the British Government had not admitted that a former Ministry had been biased against, or actively hostile to, the United States.

Reverdy Johnson was firmly convinced that the convention gave America all she wanted, and had no doubt that it would be ratified by the Senate.⁴³ But criticism of its terms began as soon as they were known. John Murray Forbes, the great Boston capitalist who had lost a good deal of money himself through the depredations of the Confederate cruisers, seized upon the provision to select arbitrators by lot, and wrote of "Seward's *gambling* treaty . . . Just imagine old Reverdy Johnson, or Seward himself throwing the dice as each claim came up, to determine whether it should go to the Yankee umpire or the Blockade Raising Umpire! or in other words whether each claim should be paid or go into the fire! I really think this gambling scheme . . . well worthy of a certain class of old Washington Politicians of the (I hope) bygone type of Slidell & Co."⁴⁴

When Seward had first brought the claims convention up in Cabinet, Gideon Welles had told him that if the British could claim for captured blockade-runners under it, it should not be

⁴² Johnson to Seward, No. 100, January 15, 1869, Diplomatic Despatches, Great Britain, N.A.

⁴³ Johnson to Seward, January 13, 1869, Seward Papers, Rush Rhees; Johnson to William Pitt Fessenden, November 13, 1868, Fessenden Papers, Library of Congress, Washington, D.C. [Hereafter cited as L.C.]

⁴⁴ John Murray Forbes to Sumner, February 1, 1869, Sumner Papers, Houghton Library of Harvard College Library, Harvard University, Cambridge, Mass. [Hereafter cited as Houghton], by permission of Houghton Library.

signed. Evarts estimated the British claims against the United States at \$100 million, the American losses at only \$8 million.⁴⁵ Meeting Seward the following week, Welles asked him point-blank about the convention: "Does it embrace claims of Englishmen for cotton and other property captured or destroyed during the War?" Seward replied emphatically, "No, it does not." "And, of course," continued Welles, "this shuts off any claim for prizes condemned in our courts." "Shuts off all," said Seward, "they do not come within the treaty," and he added that nothing which came within the United States' admiralty or local jurisdiction was to be included in the arbitration. Within enemy's limits, the British suffered like other belligerents. When the Johnson-Clarendon Convention was signed, Welles told Seward it was wholly adverse to America. The Secretary of State's only defence was that he could not have secured a treaty unless it included all claims on both sides.⁴⁶

So, said the New York *Evening Post*, the claims for the British blockade-runners and the plundered American merchantmen were treated as exactly equal. The claims for confiscated blockade-runners were "ludicrous." If the blockade was lawful, they were forfeit by the laws of war. If it was not, then they were smugglers, and forfeit by the revenue laws. Even worse, the treaty did not even mention the question of international law upon which the American claims depended: was a government responsible for a warlike expedition fitted out in its own ports against a friendly power? Lord Stanley, standing at the despatch box, had admitted that it was. But the treaty did not.⁴⁷

⁴⁵ The American claims proved to be worth \$15½ million at the Geneva arbitration of 1872.

⁴⁶ Welles soon disposed of this argument. By its own conduct, Great Britain had attacked a friendly power with which she was at peace, and the United States, therefore, had "just and equitable" claims against her. The British ships and property destroyed in the war were either being sent to help the Confederates, or were within the Confederate lines, and was subject to the laws of war. The United States, in destroying it, had not attacked Britain, and she could make no claim for it. *Diary of Gideon Welles*, op. cit., pp. 470, 474, 506-507; Friday, November 25 and Friday, December 4, 1868, Friday, January 15, 1869. Also denouncing the terms of the treaty: *Springfield Weekly Republican*, Saturday, February 6, 1869; *Sacramento Daily Union*, Friday, April 16, Wednesday, January 20, Tuesday, May 4, 1869; *Washington Daily Morning Chronicle*, Wednesday, May 5, 1869; *Montgomery Alabama State Journal*, Thursday, March 16, 1869; *San Francisco Daily Alta California*, Tuesday, April 15, Tuesday, May 4, 1869.

⁴⁷ Saturday, January 23, 1869.

Seward's course was so inexplicable that one really wonders if his faculties were failing.⁴⁸ As to his December 4 conversation with Welles, there is some evidence to suggest that perhaps he habitually talked big, bigger than truth.⁴⁹ But, having been warned of the dangers, why did Seward do nothing about them? Possibly he expected the arbitrator to throw out such British claims. If so, he was sailing dangerously near the wind, remembering the system of choice by lots; and though the submission of those claims to the head of state would have solved that problem, the very fact of their admission would have given them some chance of award. Seward was naturally inclined to optimism,⁵⁰ and this helps to explain his behavior when negotiating, and his surprise when the Convention was not ratified. But his conduct over the British claims can less be called optimism than a pathological desire to look on the bright side, a refusal to face facts.

The Johnson-Clarendon Convention was a bad treaty. The machinery it set up was cumbersome, slow, and so involved that it would have stood a good chance of creating more disputes than it settled. It was desperately vague on points of crucial importance, the system of choice by lots was ridiculous, and it made no provision of international law for the future. At the very least, the British claims should have been restricted to real estate and property in British hands on April 15, 1861.⁵¹ Nevertheless, if the Senate vote had been taken solely on the merit of its terms, the Convention might well have passed. Charles Sumner wrote that it would have been ratified almost

⁴⁸ Yet his enemies—and he had many, some, like Gideon Welles, very close to him—noticed nothing.

⁴⁹ Compare, for instance, John Bigelow's account of a talk with Seward about exchanging British Columbia for the Alabama Claims, and the reality, as stated to Charles Francis Adams. *Diary of John Bigelow*, April 3, 1867, Bigelow Papers, New York Public Library; Seward to Adams, No. 1952, March, 28, 1867, *Diplomatic Despatches*, Great Britain, N.A.

⁵⁰ Frederick Bancroft, *Life of William H. Seward* (New York: Harper and Brothers; 1900), I, pp. 194-196, 198. Indeed, Seward displayed a reckless confidence. When Thornton asked him if he had sounded any members of the Senate upon the terms of a British settlement, Seward "replied in the negative, saying in a somewhat contemptuous tone, that he knew their opinions and what they could sanction 'better than they did themselves.'" Thornton to Clarendon, January 12, 1869, Clarendon Papers, Bodleian.

⁵¹ The date of Lincoln's proclamation calling for 75,000 men to put down "combinations too powerful to be suppressed by the ordinary course of judicial proceedings."

unanimously at any time during 1868, and Henry Adams agreed with him.⁵² American public opinion was aroused against the Convention by other things besides its own nature.

The major one was the behavior of Reverdy Johnson. Though no one admitted it at the time, the Minister had shown great ability and shrewdness in conducting a difficult negotiation,⁵³ and the misconceptions of the agreement were Seward's, not his. Unfortunately, Johnson had other, less sterling qualities. He was kind, genial, pacific, easily flattered, disliked quarrelling and was inclined to be sentimental. American reaction to the news of his appointment, and his farewell to the Senate, had convinced him that the country was behind him.⁵⁴ Well, it might; his fellow-Senators, who sincerely respected his erudition and honesty, unanimously confirmed the nomination without the usual reference to a committee and, at the conclusion of his valedictory speech, "the Senators rose simultaneously and advanced towards the retiring Senator to grasp him by the hand and wish him success in his new sphere of public duty."⁵⁵ Republican newspapers welcomed his appointment;⁵⁶ even the *New York Herald* found him "satisfactory."⁵⁷ Johnson did not realize that the Senate only confirmed him because they felt he was the best they would get from Andrew Johnson.⁵⁸ As *Harper's Weekly* pointed out,

⁵² Hamilton Fish to John C. Hamilton, April 22, 1869, Fish Papers, L. C. Sumner to Bright, January 17, 1869, printed in Edward L. Pierce, *Memoirs and Letters of Charles Sumner* (Boston: Robert Brothers, 1894), IV, p. 368. Henry Adams to John Bright, May 30, 1869, Bright Papers, British Museum, London. [Hereafter cited as B.M.]

⁵³ Sumner did authorize John V. S. L. Pruyn to tell Johnson that he "had fulfilled instructions, and was not in fault." Pruyn to Fish, March 22, 1869, Fish Papers, L.C.

⁵⁴ C. F. Adams to W. R. Forster, June 4, 1869, Adams Papers, M.H.S.

⁵⁵ *Cong. Globe*, 40 Cong., 2 Sess., p. 3870, July 9, 1868.

⁵⁶ *San Francisco Daily Evening Bulletin*, Monday, June 15, 1869; *Newbury Aurora of the Valley and Vermont Cultivator*, Saturday, June 27, 1868.

⁵⁷ Wednesday, July 22, 1868.

⁵⁸ George Bemis, *Mr. Reverdy Johnson: The Alabama Negotiations, and Their Just Repudiation by the Senate of the United States* (New York: Baker and Godwin, 1869), p. 5, suggests that the belief that Johnson's functions would be mainly nominal and honorific played a part. Possibly some Senators not *au fait* with the state of negotiations may have believed this. *Pierce, op. cit.*, p. 383, says that Sumner was opposed to any nomination, believing that the London mission should be left vacant until Grant came in. He voted for Johnson's confirmation on the theory that the Minister would feel an obligation to the Republican majority. Sumner expected Johnson to make treaties on the naturalization and San Juan issues, but did not anticipate a claims treaty.

"if the only points to be considered were personal fitness and intellectual accomplishment, the United States could have no better minister."⁵⁹ But he was not representative of the nation.

Reverdy Johnson left America with the impression that public opinion was at his beck and call; though he knew Andrew Johnson was finished in national politics,⁶⁰ he told Thomas H. Dudley, United States Consul at Liverpool, that he expected to hold the English Mission for five years.⁶¹ He reached England to find the warmest and most cordial of welcomes, even in pro-Confederate Liverpool.⁶² It is surprising that his head was not turned far more than it was; Johnson was not a people's politician, and to this unaccustomed mass adulation he reacted, as most people would, a little foolishly. Johnson decided that the whole population of Britain wanted to be friends with America, and that it was his duty to promote this "friendly international feeling." But he soon came across Englishmen who did not share such feelings—and treated them as though they did. He hobnobbed with Lord Wharncliffe, erstwhile head of the Southern Rights Association, shook hands with Laird, the unabashed and unrepentant builder of the *Alabama*, sat through an anti-American tirade by J. A. Roebuck at the Cutler's Banquet in Sheffield, and took the chair at the

Nevertheless, some distinguished public figures approved of Johnson's selection. "It is pleasant to me," wrote Charles Francis Adams, "to reflect that by the happy selection of my successor no serious inconvenience has been experienced in any quarter from my retirement." Adams to Seward, September 2, 1868, Seward Papers, Rush Rhees. George Bancroft was "glad to see America so ably and so satisfactorily represented." Bancroft to Reverdy Johnson, September 11, 1868, Bancroft Papers, M.H.S.

⁵⁹ July 4, 1868.

⁶⁰ Reverdy Johnson to Sumner, October 10, 1868, Sumner Papers, Houghton.

⁶¹ Adams Sunday, November 16, 1868. Johnson may, of course, have expected Seymour and Blair to win, so this is not quite as crass as it sounds. Nevertheless, the implication that popular favor was and would remain his, is clear.

⁶² Johnson to Sumner, October 10, 1868, Sumner Papers, Houghton. Reverdy Johnson, *A Reply to a Recent Speech of Sir Roundell Palmer on the Washington Treaty and the Alabama Claims* (Baltimore: John Murphy and Co., 1871), p. 37. Johnson to Seward, August 19, 1868, Seward Papers, Rush Rhees; Johnson to William Pitt Fessenden, November 13, 1868, Fessenden Papers, L.C. One of Charles Sumner's constituents wrote about "Mr. Johnson, who I think would have been brave enough had he been summoned to defend himself or his country before England's stone fortresses, 'wooden walls,' or 'iron clads' but who ingloriously surrendered, when assailed from the well-loaded decks of John Bull's luxurious mahogany." W. G. Dix to Sumner, April 16, 1869, Sumner Papers, Houghton.

dinner of a company headed by Erlanger, negotiator of the Confederate cotton loan.⁶³

When news of such doings reached America, public opinion was outraged. Edwin M. Stanton, Lincoln's Secretary of War, fumed that the Senate should have voted to send Reverdy Johnson to the infernal regions, not to England. "He did not know what use it was to have a hell except to roast such men as Johnson."⁶⁴ A constituent of Charles Sumner's called the Minister "too eager for self-popularity to be . . . judicious," and another declared that diplomacy "can all be done without the intervention of a large number of dinners, hugh [*sic*] sirloins of roast beef—immense plum puddings—any quantity of port wine, and a diarrhoea of after-dinner speeches."⁶⁵ Joseph Medill, publisher of the *Chicago Tribune*, announced that "the people are utterly disgusted with Reverdy Johnson and his 'Alabama' negotiations"; Horace Greeley denounced the Minister.⁶⁶ A joint resolution was introduced in Congress requesting the President to recall Reverdy Johnson, for conduct "prejudicial to the interests and dignity of this nation."⁶⁷

⁶³ Bertrand C. E. Steiner, *Life of Reverdy Johnson* (Baltimore: The Norman Remington Company, 1914), p. 243; Johnson to Fessenden, November 13, 1868, Fessenden Papers, L.C. Johnson to Sumner, October 10, 1868, Sumner Papers, Houghton. Benjamin Moran to Thurlow Weed, January 9, 1869, Weed Papers, Rush Rhees.

⁶⁴ Samuel Hooper to Sumner, November 17, 1868, Sumner Papers, Houghton.

⁶⁵ M. C. Laycock to Sumner, April 14, 1869; J. G. Dudley to Sumner, April 15, 1869, Sumner Papers, Houghton.

⁶⁶ Joseph Medill to Sumner, December 2, 1868, Sumner Papers, Houghton. Diary of John Bigelow, Thursday, October 29, 1868, Bigelow Papers, N.Y.P.L.

⁶⁷ *Cong. Globe*, 40 Cong., 3 Sess., p. 10, Representative Daniel J. Morell of Pennsylvania on December 7, 1868. A Democratic move to table the resolution was repulsed, and it was sent to the Committee on Foreign Affairs.

Some other attacks on Reverdy Johnson: Adams Diary, Thursday, November 12 and Thursday, November 19, 1868; Elwood Evans to Sumner, December 5, 1868; John Murray Forbes to Sumner, January 15, 1869; T. L. Smith to Sumner, April 26, 1869; Rumsey Win to Sumner, June 12, 1869; William Gow to Sumner, April 19, 1869; James T. Farnes to Sumner, November 11, 1868; George W. Smalley to Sumner, December 2, 1868, Sumner Papers, Houghton. Smalley to Schuyler Colfax, December 1, 1868, Colfax Papers, Rush Rhees. Harriet Ann Weed (Thurlow Weed's daughter) to Seward, January [no day], 1869, Seward Papers, Rush Rhees. E. Brooks to George Bemis, January 1, 1869, Bemis Papers, M.H.S. Charles Eliot Norton to George William Curtis, January 29, 1869, printed in Sara Norton and M. A. DeWolfe Howe (eds.), *Letters of Charles Eliot Norton, with biographical comment* (Boston, Houghton, Mifflin Company, 1913), II, p. 319-320. San Francisco *Daily Alta California*, Monday, April 26; Saturday, May 13, 1869. Newbury *Aurora of the Valley and Vermont Cultivator*, Saturday, December 5, 1868; *Springfield Weekly Republican*, Saturday, October 10, December 26, 1868.

If the North, still preoccupied with the problems caused by the Civil War, had known more of what was going on in London, its reaction might have been even more violent. "Our visitors," wrote the Secretary of Legation, "are Geo. N. Sanders, Wigfall, Benjamin and men of that stamp—indeed only rebels and rebel sympathizers."⁶⁸ This was only natural to a Maryland Democrat; these men had been Johnson's friends before the war, and they were his friends now. Once again, this reveals Johnson's fatal fault: he simply was not representative of American opinion.

And by early 1869, he was losing his hold on British feeling. "I do not see a great deal of our friend Reverdy," wrote Freeman H. Morse, United States Consul-General in London, "he is away so much on the swing round the circle . . . meetings got up for him to dilate on the soothing theme of peace and international love. Socially he is genial, agreeable and entertaining, and I like him much, but he is altogether too fond of making speeches and entertains too high an opinion of his own. He thinks everyone of his public utterances has a tremendous influence in forming and cementing friendship between the two nations. At first his speeches really had considerable and favorable influence on the English mind. But he has so overdone it, that, with the unfavorable criticism at home, but little heed is now paid to any speech he may make."⁶⁹ "He talks too much and is being laughed at in society," said another diplomat. "And then his colleagues also laugh at him."⁷⁰

Johnson remained oblivious to all this. He did write home justifying his behavior, explaining, for example, that he had not heard Roebuck's speech properly, and had replied to it as soon as he read it in the papers next day.⁷¹ Seward, the one person who might have warned the Minister about the damage he was doing, went to great length to reassure him. All Ministers, the Secretary said, had to run a gauntlet of press criticism.

⁶⁸ Benjamin Moran to Thurlow Weed, January 9, 1869, Weed Papers, Rush Rhees. Judah P. Benjamin to Reverdy Johnson, November 12, 1868, Johnson Papers, L.C.

⁶⁹ Freeman H. Morse to Fessenden, January 20, 1869, Fessenden Papers, L.C.

⁷⁰ Benjamin Moran to Thurlow Weed, January 9, 1869, Weed Papers, Rush Rhees.

⁷¹ Johnson to Sumner, October 10, 1868, Sumner Papers, Houghton. Johnson to Seward, October 7, 1868, Seward Papers, Rush Rhees.

Factional bitterness was high; the public did not expect a successful end to the negotiations, and believed that Johnson had added humiliation to failure. The opposition would howl again when they saw the treaties, as they and their like had done all through United States history. But all would be well. "The treaties will prove satisfactory in the end, and the wisdom of the speeches you have made will thus be fully vindicated by the achievements which follow them."⁷² Reverdy Johnson lapped up this encouragement, and became quite convinced that the "better and wiser part" of the American press was with him.⁷³ He told Fessenden that only some papers under Fenian control were censuring him.⁷⁴

Johnson had the wide Atlantic between himself and reality; Seward's remarks show that he was wildly out of touch with public opinion. Right from the day it was published, informed politicians knew that the convention could not be ratified. "At present," Ben Butler told someone who wanted to retain him as attorney when the claims came to be adjudicated, "there is not the remotest possibility of a settlement."⁷⁵ An Ohio representative asked Charles Francis Adams for some information to use in a speech on the convention; a few days later, he wrote

⁷² Seward to Johnson, October 26, 1868, Johnson Papers, L.C. Seward to Johnson, October 7, 1868, (Unofficial), Diplomatic Instructions, Great Britain, N.A.

Yet Thornton reported to Clarendon that Seward showed "extreme annoyance" every time a new speech by Reverdy Johnson reached Washington. He "perpetually told me of his entire disapproval of Mr. Johnson's conduct in this respect," wrote the British Minister. ". . . He has even gone so far as to excuse himself for any responsibility that might be imputed to him by saying that Reverdy Johnson was not his choice, that he had opposed his appointment, but that the President had insisted upon it; that he was always afraid that Johnson would commit some folly by his love of talking, and that he wished that the interdict to speak in public, which had formerly existed for American diplomats, had been renewed in Mr. Johnson's case." Thornton to Clarendon, March 16, 1869, Clarendon Papers, Bodleian.

Two interpretations of this evidence are possible. First, that Seward always shuddered at Johnson's speech-making and the harm it did, but tolerated and actively encouraged him because he was the President's choice, because he stood a good chance of negotiating a successful treaty, in spite of the speeches, and because the Secretary was still ambitious and anxious to remain at the State Department. Second, and more likely, Seward only turned against Johnson after January, when it became obvious that the Convention would not be ratified.

⁷³ Johnson to Seward, November 7, 1868, Private, Diplomatic Despatches, Great Britain, N.A.

⁷⁴ Johnson to Fessenden, November 13, 1868, Fessenden Papers, L.C.

⁷⁵ B. F. Butler to L. Roseth, January 27, 1869; L. Roseth to Butler, January 22, 1869, Butler Papers, L.C.

again and told him not to bother, as the treaty was "wholly discarded." Senator Henry Wilson thought it might not get one vote.⁷⁶

A few Southern and Democratic newspapers welcomed the treaty and defended Reverdy Johnson,⁷⁷ but nearly all the great New York papers condemned his work. The *Tribune* greeted it as an "utter failure, a fraud on American claimants, and a treaty which the Senate will overwhelmingly refuse to sanction."⁷⁸ The *Herald* called it "mixed-up and unsatisfactory . . . like the two Johnsons, Andy and Reverdy, a failure";⁷⁹ the *Evening Post* wanted it thrown into the waste-paper basket immediately.⁸⁰ The moderate Republican *New York Times* had to execute an awkward and humiliating retreat after proclaiming the convention's terms "eminently favorable,"⁸¹ and even the *World*, the nation's leading Democratic paper, was forced to admit that popular sentiment was almost universally against the agreement.⁸² The *Sacramento Daily Union* dismissed the convention as incomprehensible;⁸³ the *Washington Daily Morning Chronicle* thought it gave "no absolute assurance of anything."⁸⁴ George B. Upton, a Boston shipowner with large claims, got Sumner to introduce a petition in Congress remonstrating against equating British claims with American losses caused by pirates which were British-built, British-manned, British-armed, and British-protected. At the same time, he had the speeches of Cobden, Forster and Baring on the Alabama Claims printed ("with a little introduction of my own") to make the British offences clear, and sent Sumner a batch of them for distribution to his colleagues.⁸⁵

⁷⁶ Samuel Shellabarger to C. F. Adams, February 10, 19, 1869, Adams Papers, M.H.S. Thornton to Clarendon, January 26, 1869, Clarendon Papers, Bodleian.

⁷⁷ *Baltimore Sun*, Saturday, January 23, 1869; Wednesday, January 20, 1869; *Mobile Daily Register*, Thursday, February 25; Friday, February 26; Tuesday, May 18; Saturday, May 29, 1869.

⁷⁸ Friday, January 22, 1869.

⁷⁹ Friday, February 5, 1869.

⁸⁰ Friday, February 26, 1869; see also *New York Evening Mail*, Wednesday, January 27, 1869.

⁸¹ Tuesday, January 19; Wednesday, January 27; Saturday, January 30; Monday, February 1, 1869.

⁸² Wednesday, April 14, 1869.

⁸³ Tuesday, February 9, 1869.

⁸⁴ Wednesday, April 14, 1869.

⁸⁵ *The Times* (London), Friday, February 19, 1869. Upton to Sumner, February 20, 1869, Sumner Papers, Houghton.

Seward, convinced of his rectitude to the last, told Reverdy Johnson that the opposition to the convention was pure party spite, just like the attempt at impeachment. Ignoring other causes of complaint, he wrote that "the only pretence of a logical principle which is made for the new issue is that Great Britain owes the United States for injuries committed by the recognition of the rebels as a belligerent power, and compensation beyond the mere damages of aggrieved merchants and seamen; that the injury is of a nature which cannot be estimated in pecuniary damages; atonement ought therefore to be demanded in the form of an acknowledgement of that wrong with a concession of territory."⁸⁶

Johnson had already dismissed these objections with the arguments that the demand was totally new, that a nation's honor could have no compensation in money, and that the United States had held no direct interest in the ships and goods destroyed by the Confederate raiders.⁸⁷ He replied to Seward that if these were the demands to be made on the English, the Alabama Claims would never be settled.⁸⁸ But during the next three days, Johnson decided to make one last effort to save the convention. He went to the Foreign Office and proposed an amendment to the treaty allowing claims by the two govern-

⁸⁶ Seward to Johnson, March 3, 1869, Seward Papers, Rush Rhees.

The idea of securing Canada predated the Declaration of Independence; the spirit of manifest destiny moved strong in American minds, and nearly every American believed that, sooner or later, union would come. Great newspapers like the *New York Tribune* and *Herald* had advocated it, on and off, ever since the end of the war, and the opposition to the process of Confederation in Canada convinced many people that the hour of continental consolidation was at hand. In the first months of 1869, annexation was mentioned in papers far and wide. The *Springfield Illinois State Journal* said that the American people would welcome it almost to a man. The idea of exchanging Canada for the Alabama Claims followed naturally, Joseph Medill, publisher of the *Chicago Tribune*, and as violent a hater of Britain as his descendant Colonel Robert McCormick, was a zealous expansionist who regarded the cession of Canada as the only adequate "atonement" Britain could make for her wartime treachery. In New York, the three largest-selling papers all came out for this solution.

Springfield Illinois State Journal, Saturday, January 23, 1869. Medill to Sumner, December 2, 1868, Sumner Papers, Houghton. Candace Stone, *Dana and the Sun* (New York: Dodd, Mead and Company, 1938), p. 325. *New York Herald*, Saturday, February 13; Thursday, February 18, 1869. *New York Tribune*, Friday, January 22; Wednesday, February 3; Monday, February 22, 1869.

⁸⁷ Johnson to Seward, No. 112, February 17, 1869, Diplomatic Despatches, Great Britain, N.A.

⁸⁸ Johnson to Seward, March 19, 1869, Seward Papers, Rush Rhees.

ments to be admitted. Clarendon gave him no encouragement; Gladstone thought that he had taken "a great and indeed an outrageous liberty" in making a proposal without the sanction of his Government (Grant had already come in, and Johnson was on the verge of resigning), and the idea died stillborn.⁸⁹

It is doubtful if anything would have arrested the blood-thirsty pursuit of the Convention. Goldwin Smith told Charles Francis Adams, Jr., that one of the Republican Senators who had voted against impeachment⁹⁰ "and among whom I suppose if anywhere, independence is to be found," had confessed privately that he had voted against the treaty because it was so unpopular, though he thought America would never get a better.⁹¹ It was voted down on April 13th. "A single benighted Senator, a Kentuckian,"⁹² Thomas C. McCreery, voted in favor, 54 against. A tremendous speech from Charles Sumner provided a rationale for condemning Reverdy Johnson's handiwork, but many contemporaries mentioned the Minister's behavior first when they listed causes.⁹³ And besides this, there was a feeling of holiday in the air. After four long years, Andrew Johnson was out. The Radicals in Congress wanted nothing to do with him or any of his works. They had no desire to give him and Seward who, with his usual complete failure to understand the facts of Reconstruction life, had ex-

⁸⁹ Clarendon to W. E. Gladstone, March 22, 26, 1869; Gladstone to Clarendon, March 30, 1869, Gladstone Papers, B.M. When the new Secretary of State, Hamilton Fish, heard what Johnson had done, he sent a swift reproof. Johnson to Fish, Numbers 150, 153, April 9, 16, 1869. Diplomatic Despatches, Great Britain, N.A. Telegram from Fish to Johnson, April 12, 1869, Diplomatic Instructions, Great Britain, N.A.

⁹⁰ Of the seven, only four voted on the Convention. Grimes of Iowa was abroad; Van Winkle of West Virginia and Henderson of Missouri had failed to win re-election to the Senate in March, 1869. Fessenden was against the Convention. Fessenden to Hamilton Fish, May 23, 1869, Fish Papers, L.C. This leaves Ross of Kansas, Fowler of Tennessee and Trumbull of Illinois. The latter seems the most likely person to be interested in foreign affairs, and to be moderate in his attitude.

⁹¹ Goldwin Smith to C. F. Adams, Jr., May 25, 1869, Adams Papers, M.H.S.

⁹² *Diary of George Templeton Strong. Post-War Years, 1865-1872*, edited by Allan Nevins and Milton Halsey Thomas (New York: The Macmillan Company, 1952) pp. 244-245, April 16, 1869.

⁹³ Sumner to Bemis, May 25, 1869, printed in *Pierce*, op. cit., p. 393. Lowell to Leslie Stephen, April 24, 1869, printed in *Letters of James Russell Lowell*, edited by C. E. Norton (London: Osgood, McIlvaine and Co., 1894), II, p. 29. Henry Adams to John Bright, May 30, 1869, Bright Papers, B.M. *Mobile Daily Register*, Saturday, March 20, 1869. *San Francisco Daily Alta California*, Tuesday, May 4, 1869. *Montgomery Alabama State Journal*, Thursday, March 16, 1869.

pected to add enough middle-of-the-road Republicans to the Democratic vote for ratification,⁹⁴ a posthumous triumph.⁹⁵ Nor did the Democrats want to lash themselves to a political corpse. In the White House, the Radicals had a man regarded with a respect and a reverence rarely accorded to any mortal. "To doubt Grant was to doubt Christ,"⁹⁶ and the feeling was overwhelming that he should be entrusted with the English question. With hardly a regret, the Johnson-Clarendon Convention was ignominiously pushed into its grave.

This was a dismal and melancholy end to the longest and most distinguished tenure of the Department of State since the days of Madison and John Quincy Adams, and Seward never forgot his defeat. Eighteen months after he had left office, a reporter asked him to comment upon the current state of negotiations on the Alabama Claims. "We have no claims," answered the old man. "We had claims, and a treaty was made for their settlement; but they have been given up and we have now only a grudge."⁹⁷

⁹⁴ Diary of John Bigelow, September 24, 1868, Bigelow Papers, New York Public Library.

⁹⁵ *New York Times*, Monday, March 22, 1869; *New York Herald*, Wednesday, April 14, 1869; *Springfield Weekly Republican*, Saturday, January 23, 1869.

⁹⁶ Elizabeth N. Barr, "The Populist Uprising," in *A Standard History of Kansas and the Kansans*, II, pp. 1115-95, quoted in Wilfrid E. Binkley, *American Political Parties, Their Natural History* (New York: Alfred A. Knopf, 1943), p. 292.

⁹⁷ Goldwin Smith to George Waring, August 8, 1870, Goldwin Smith Papers, John M. Olin Library, Cornell University, Ithaca, N.Y.

THE LETTERBOOKS OF ALEXANDER HAMILTON, PISCATAWAY FACTOR

PART I, 1774

Edited by RICHARD K. MACMASTER AND DAVID C. SKAGGS

INTRODUCTION

PHILIP Vickers Fithian, the young Princeton graduate who was employed as tutor to the Carter children at Nomini Hall, visited Piscataway, Prince George's County, Maryland in 1774. He found it to be "a small Town of low Houses not more than two in it two Stories High . . . in a fine rich valey," and noted in his *Journal* that the innkeeper's daughters were "both in Love with Scotch Merchants."¹ Here, as everywhere that he traveled in Maryland and Virginia, Fithian observed "that all the Merchants & shopkeepers . . . are young Scotch-Men."² This is hardly surprising, since Scottish ports accounted for 45,259,675 pounds of the total of 96,627,154 pounds of tobacco imported into the United Kingdom in 1772 and Glasgow far outdistanced both London and Whitehaven as centers of the tobacco trade in all the years from 1767 to 1775.³

The period from 1750 to 1775 witnessed a steady rise in the importance of Glasgow firms both as importers of Maryland and Virginia tobacco and as retailers of British cloth and manufactured goods to large planter and small tenant-farmer alike.⁴ The tobacco trade with the Chesapeake region stimulated both

¹ Hunter Dickinson Farish, ed., *Journal and Letters of Philip Vickers Fithian, 1773-1774* (Williamsburg, 1943), pp. 130 and 146.

² *Ibid.*, p. 39.

³ Oliver M. Dickerson, *The Navigation Acts and the American Revolution* (Philadelphia, 1951), p. 35.

⁴ Jacob M. Price, "The Rise of Glasgow in the Chesapeake Tobacco Trade," *William and Mary Quarterly*, 3rd series XI (1954), p. 183.

the commercial and business life of Glasgow and the shipbuilding industry in the Clydeside ports. In its most profitable years, the decades before the American Revolution, the Maryland and Virginia trade brought wealth to Glasgow and saw the rise of wealthy "tobacco lords," like John Glassford, William Cuninghame and Andrew Buchanan.⁵ Forty-six Glasgow firms were engaged in the tobacco trade in 1774, importing altogether 40,500 hogsheads of tobacco. Several of these firms had large interests in Maryland. John Glassford and Company, which imported 4,506 hogsheads in 1774, was the largest Glasgow importer active in Maryland. Cuninghame, Findlay and Company accounted for 1,290 hogsheads in 1774, while James Brown and Company imported 638 hogsheads. Other Glasgow firms interested in the Maryland market included Jamieson, Johnston and Company, who imported 492 hogsheads, Dreghorn, Murdock and Company who brought in 502 hogsheads, George and Andrew Buchanan, importers of 403 hogsheads, and John Rowand and Company whose total imports in 1774 amounted to only 39 hogsheads.⁶

The large collection of ledgers, journals and shipping registers, comprising 132 volumes in all, that make up the John Glassford and Company Papers in the Library of Congress provide the raw materials for a study of the economic penetration of several Glasgow firms in the tobacco-producing region of Maryland. A single letterbook, catalogued as volume 34 in this collection, is almost unique in that it offers a contemporary account of the economic situation in Maryland, the business methods of the Glasgow firms and the economic and political problems they faced, from the viewpoint of a Scottish factor in the tobacco trade. The letters in this volume were written by Alexander Hamilton of Piscataway to his employers, James Brown and Company of Glasgow, and to James Brown personally, with an occasional letter to Robert Mackay, John Pagan and other Glasgow merchants, in the years 1773-1776 and 1784-1793. A second letterbook, catalogued separately in the Library of Congress under Hamilton's own name, represents a more general correspondence in the years 1784-1796, with James

⁵ Andrew Macgeorge, *Old Glasgow* (Glasgow, 1880), pp. 157 and 237.

⁶ James Pagan, *Sketch of the History of Glasgow* (Glasgow, 1847) p. 80.

Brown, Robert Fergusson, his brother, Francis Hamilton, and a number of Maryland planters in debt to either the Brown or Glassford firm.

Alexander Hamilton, the writer of these letters, was the eldest son of John and Jacobina (Young) Hamilton and was born in Mauchline, Ayrshire, Scotland, where his father was a practicing attorney and writer to the *Signet*.⁷ He was descended from the Hamiltons of Kype, a landowning family in Lanarkshire, Scotland.⁸ The elder Hamilton died in 1773, leaving an estate which his son estimated at £5,200 in real estate and £3,400 in debts due to him, besides cash and personal property, but the estate was encumbered by suits involving the Glasgow merchant John Semple, to whom John Hamilton had unwisely advanced credit. Although Semple died in 1773, the case was still in litigation in 1799 and Alexander Hamilton of Piscataway never shared in his patrimony.⁹

John and Jacobina Hamilton had two other sons. Gavin Hamilton (1751-1805) succeeded to his father's practice as a lawyer in Mauchline, where he married Helen Kennedy of Daljarroch. His friendship for Robert Burns, originally a tenant-farmer on the Hamilton estate, won him a place in the poet's works and a footnote in literary history.¹⁰ Francis Hamilton, the writer's younger brother, also came to America. He was living in Berkeley County, in what is now West Virginia, in 1778.¹¹ Francis Hamilton resided on a farm known as "Keeptriste" in 1784 and was the owner of five slaves.¹² He was still living in Berkeley County in 1792, but before 1799, Francis

⁷ Will Liber T #1, fol. 430, Orphans' Court of Prince George's County, Upper Marlboro, Maryland.

⁸ George Hamilton, *History of the House of Hamilton* (Edinburgh, 1933), pp. 548-549.

⁹ Alexander Hamilton to James Brown, May 20, 1785, Glassford Papers, Library of Congress, Washington, D.C., vol. 34, fol. 64. John Semple, "merchant in Worcester, thereafter at Glasgow, lately residing at Saffronhall and subsequently at Finniestown in the Barony Parish of Glasgow," died 1 July 1773 (*Commissariat Record of Glasgow, Scottish Record Society Publications*, VII [Edinburgh, 1906], p. 445).

¹⁰ *DNB*, VIII, 1040; J. DeLancey Ferguson, ed., *The Letters of Robert Burns* (Oxford, 1931), II, 351.

¹¹ Shenandoah Valley Chapter, D.A.R., *Will Book #1, Berkeley County, West Virginia* (Martinsburg, W. Va., 1962), pp. 165 and 199.

¹² Alexander Hamilton of Piscataway, Letterbook, Library of Congress, Washington, D.C., fol. 4, hereafter cited as Letterbook; Augusta B. Fothergill, *Virginia Taxpayers 1782-1787* (Richmond, 1940), p. 54.

Hamilton and his family moved to Prince George's County, Maryland. His minor children, John Alexander, Francis and Elizabeth Hamilton, all of Prince George's County, are legatees in their uncle's will.¹³ Although Francis Hamilton and his children were Alexander's frequent guests at Piscataway, according to the evidence of the letterbooks, it is unlikely that he can be identified with the Francis Hamilton who took the oath of allegiance in Prince George's County in 1778 and married Susan Blanford at St. John's Church, Broad Creek, in 1785. The Francis Hamilton who resided near Upper Marlboro in 1799 may be the writer's brother, however.¹⁴ Alexander Hamilton had two sisters, Elizabeth Hamilton and Jacobina Reid, living in Scotland in 1799. William, Grace and Charlotte Hamilton of Harviestown, Lanarkshire, Scotland were his half-brother and sisters.¹⁵

Alexander Hamilton came to Maryland with the intention of gaining experience in the tobacco trade, before entering business on his own with a portion of his expected inheritance as capital.¹⁶ He found employment as an assistant factor in Simson, Baird and Company's store at Piscataway in 1768. His wages for the calendar year 1769 amount to £45.¹⁷

James Brown of Glasgow managed the affairs of Simson, Baird and Company at Piscataway as factor from 1766, assisted in that year by Robert Buchanan. James Hoggan, who also appears on the Piscataway books in 1766, was probably a clerk or stock-boy as he drew only £5 a year.¹⁸ In 1767 Hoggan's wages were raised and Brown's brother, Miller Brown, joined the staff at Piscataway on the lowest rung.¹⁹ Hamilton's arrival at Piscataway and James Brown's return to Scotland resulted in

¹³ *Calendar of Virginia State Papers* (11 vols. Richmond, 1875-93), VI, 235; Will Liber T #1, fol. 430, Prince George's County Orphans' Court, Upper Marlboro, Md.

¹⁴ Gaius M. Brumbaugh, comp., *Maryland Records* (Lancaster, Pa., 1928), p. 299; Annie Burns, comp., *Index to the Register . . . St. John's, Piscataway* (Baltimore, 1949), p. 49. The records of St. John's Church include a number of references to persons named Hamilton, with unmistakably Scottish given-names, but all are apparently descendants of Andrew Hamilton.

¹⁵ Will Liber T #1, fol. 430, Prince George's County Orphans' Court; Ferguson, *Letters*, I, 121.

¹⁶ Glassford Papers, vol. 34, fol. 64.

¹⁷ Glassford Papers, vol. 25, fol. 242.

¹⁸ Glassford Papers, vol. 19, fol. 28 and 200-201.

¹⁹ Glassford Papers, vol. 21, fol. 314, vol. 23, fol. 276.

a complete reorganization of the Simson, Baird firm between 1768 and 1773. The older firm was merged in James Brown and Company, with Robert Dreghorn, Matthew Orr, James Simson, James Brown, James Corbett, Sr. and James Corbett, Jr. as partners.²⁰ Similar reorganization took place in Maryland. Alexander Hamilton succeeded Brown as factor at Piscataway and James Hoggan went to Bladensburg to manage the company's store there. Hamilton's relationship with Hoggan is not altogether clear from the extant letters, but Hamilton appears to have been the chief factor of the firm and Hoggan his subordinate. Hamilton certainly had direct authority over a third store at Lower Marlboro.

The Glasgow tobacco traders recognized the problem of competition by interlocking directorates. James Brown, the senior partner in James Brown and Company, was also a partner in Cuninghame, Brown and Company, with stores at Georgetown and Newport, Maryland by 1775, and in John Brown and Company, whose operations were concentrated at Dumfries, Virginia. The latter firm was headed by his brother, John Brown, who married a sister of State Senator John Henry of Maryland and eventually settled as a planter at Vienna, Fairfax County, Virginia, where he died in 1786. Miller Brown, a third brother, was in Jamaica in 1774, but returned to the Potomac region to join with James and John Brown in the partnership of Scott, Brown and Company, active primarily in Virginia.²¹

As the letters will indicate, the Glasgow merchants did not enjoy a monopoly of Maryland tobacco. By 1773 firms of local merchants offered substantial competition. Among those mentioned by Hamilton are Contee and Bowie and Contee and Magruder, whose directors were John Contee and Alexander Magruder of Prince George's County.²² Commercial rivalry cannot have drawn too sharp a line, however, between the Scots and local businessmen. John Read Magruder, brother of Alexander Magruder and son-in-law of John Contee, was factor for

²⁰ Glassford Papers, vol. 34, fol. 70-72.

²¹ Glassford Papers, vol. 34, fol. 58 and 75; Price, "Rise of Glasgow," *loc. cit.*, pp. 193n and 195n.

²² Effie Gwynn Bowie, *Across the Years in Prince George's County* (Richmond, Va., 1947), pp. 228-229.

Buchanan and Company of Glasgow in 1774.²³ Hamilton had close associations with Colonel John Baynes, from whom he rented his Piscataway store and with whom he boarded, and eventually hired his son, Joseph Noble Baynes as an assistant factor, although Colonel Baynes was an independent shipper, acting as a consignment merchant for Martin and Company of Whitehaven.²⁴ Thomas Claggett of Piscataway is also mentioned in the Hamilton correspondence without any hint of opprobrium. He maintained a rival store in Piscataway, which by 1775 was substantial enough to be listed on Hamilton's books as "Claggett & Company, Warehouses," and there is evidence of cooperation between the two firms.²⁵

Cooperation was undoubtedly an economic necessity for both the many small Scottish merchants and the native Marylanders in the trade, as these letters witness, in the face of common difficulties with the tobacco-growers, who sought by combinations to raise the price of tobacco,²⁶ and as individuals to evade paying their debts. A third element in the trade represented a more acrimonious rivalry. These were the consignment merchants, chiefly from London and Whitehaven, who offered the possibility of a better price for their tobacco than was being given by the factors in the neighborhood to those planters who would ship direct to England, using these firms as brokers and pay a commission.

The difficulties of the merchants on the spot were compounded by the possibility of paying higher prices than the British market would warrant. Other problems arose from the so-called "two price" system. At Piscataway in James Brown's regime tobacco was discounted to goods at 15/- per hundred-weight and to currency at 30/- per hundredweight.²⁷ As Hamilton noted in his correspondence, a poor selection of goods might

²³ James M. Magruder, comp., *Magruder's Maryland Colonial Abstracts* (Annapolis, 1935), V. p. 94; Bowie, *Across the Years*, p. 15.

²⁴ According to Baynes' accounts, he was paid £100 for store-rent and board, boarding each employee at £20 *per annum* (Glassford Papers, vol. 25, fol. 242 and 245).

²⁵ Glassford Papers, vol. 26 (an index volume); Katherine A. Kellock, *Colonial Piscataway* (Accokeek, Md., 1962), p. 40.

²⁶ Glassford Papers, vol. 34, fol. 48; James M. Saltow, "Scottish Traders in Virginia, 1750-1775," *Economic History Review*, XII (1959), pp. 83-98, concludes that the merchants were at the mercy of the planters.

²⁷ Glassford Papers, vol. 20, fol. 147.

well leave the store overstocked and thus operating at a loss, while the merchant paid out large sums to reach his assigned purchase of tobacco for the year. To remedy this, Brown attempted in 1769 to sell his stock at a single price, whether for tobacco or cash, but had to reluctantly abandon the experiment on January 1, 1770.²⁸ Other problems mentioned in the letters involved the paper currency issued by the Province of Maryland as legal tender.

The chief problem for the tobacco merchants was the collection of debts.²⁹ Here, the letters shed new light on the problem of planter indebtedness at the time of the Revolution. Hamilton details efforts to close the courts and suggests that the aim of stopping the collection of debts to Glasgow merchants was to put pressure on the Glasgow representatives in Parliament. The wider issue of indebtedness as a fundamental cause of revolutionary agitation in the Chesapeake region is not directly met by the letters, but Hamilton indicates that tobacco prices were high and that the tobacco-growers of the "lower counties" were, if anything, distressed at the idea of severing their economic ties with Great Britain. He hints at a more conservative viewpoint prevailing in southern Maryland in 1774-1775 than in the wheat and flour regions of the Province.

As the letters indicate, there was a mounting resentment in some quarters against the Scottish merchants. Debtors pressed to have the courts closed or obstacles placed in their creditors' path by legal or extra-legal means. The scarcity of linens and other goods led others to appeal to the Committees of Safety to enforce their own demands for purchase on a cash basis, rather than a crop lien, or for purchase at any price they chose to pay. Archibald Campbell, factor for the Glassford interests at Leonardtown, and William Lilburn, factor for James Buchanan and Company at St. Inigoes, were among the Scots harassed in this way.³⁰ An even more pressing problem arose for Hamilton and the other merchants with the adoption of the Association of Freemen of Maryland on July 26, 1775.³¹ Unable to

²⁸ Glassford Papers, vol. 24, fol. 1.

²⁹ Saltow, "Scottish Traders," *loc. cit.* pp. 95-96; Emory G. Evans, "Planter Indebtedness and the Coming of the Revolution in Virginia," *William and Mary Quarterly*, 3rd series, XIX (1962), pp. 511-533.

³⁰ *Archives of Maryland*, XI, pp. 41-44.

³¹ *Ibid.*, pp. 66-67.

agree to bear arms against their countrymen, many of the Scottish merchants left Maryland. The letters record the departure of Archibald Campbell and his family, with a number of others, on the Glassford-owned ship *Potowmack* in October 1775, and of Robert Fergusson on the *Dunlop* in September.³² The last letter in the 1773-1776 series refers to the impending departure of John Riddell on board H.M.S. *Fowey* in June 1776.³³

Alexander Hamilton remained in Piscataway and attempted to salvage the property owned by Brown and other Glasgow firms. On October 23, 1776 Hamilton bought two lots in Nottingham marketplace from John Glassford for five shillings.³⁴ On the same day John Glassford, James Gordon, John Campbell, Jr., Alexander Law and William Ingram, all of Glasgow, acting through Henry Riddell of Prince George's County, sold 32 acres called "Marburys Meadows" and "Hickory Plain" containing 100 acres, both in Prince George's County, to Alexander Hamilton for five shillings. The following day Hamilton conveyed all this property to Riddell for the same price.³⁵ Evidently their aim was to secure the Glassford property from confiscation by transferring the title from British owners.

Hamilton and his associates were not altogether successful in

³² Hamilton to Brown, September 14, 1775 speaks of Fergusson as "Mr. Brown's old friend & acquaintance . . . a good, sensible, well behaved Man. . . . He is a very good hand at politics." Robert Fergusson, originally from Moniave, Dumfries-shire, Scotland was a factor for John Glassford and Company at Georgetown in 1773 (Magruder, *Abstracts*, IV, p. 18). Power of attorney was granted to Fergusson in 1784 by Henry Glassford, James Gordon, Henry Riddell, John Campbell, William Coats and Archibald Henderson, surviving partners of Glassford and Company, to collect debts owed the firm and dispose of its property in America (Charles County Wills, Liber A.H. #9 1785-1788, fol. 359, HR). In addition he represented Glassford, Gordon & Monteith, Neil Jamieson & Co., formerly of Norfolk, Va., James Brown & Co. of Glasgow, the heirs of Matthew Blair, and Henry Glassford, Richard and Alexander Henderson of Glassford & Henderson. With Richard Henderson of "Spring Hill," Montgomery County, he formed the firm of Henderson, Fergusson & Gibson. Fergusson made his home at "Mulberry Grove," Near Portobacco, Charles County. His wife was Elizabeth, daughter of John Ballantine. He died in 1813 (Charles County Wills, Liber HB-BH #14 1808-1817, fol. 234, HR).

³³ Glassford Papers, vol. 34, fol. 47. John Riddell, a Virginia merchant, was authorized to return to Europe on June 24, 1776 (*Arch. Md.*, XI, p. 511).

³⁴ Prince George's County Land Records, 1774-1780, Liber CC #2, fol. 322-325, Md. Land Office. The deed was witnessed by Mungo Fairlie, a Glassford factor in Charles County (Magruder, *Abstracts*, II, p. 81).

³⁵ Prince George's County Land Records, 1774-1780, Liber CC #2, fol. 326-328. Glassford, Gordon and Campbell were partners in John Glassford & Co. (Charles County Wills, Liber A.H. #9, 1785-1788, fol. 359, HR). Presumably the others were also partners. Henry Riddell was Glassford's chief factor in Maryland.

their efforts. Property confiscated from James Brown and Company and John Glassford and John Buchanan, among others, was advertised for sale in 1781.³⁶ The Brown store at Piscataway apparently stood on rented ground and escaped confiscation, in any event, as it was held in Hamilton's name.³⁷ The Bladensburg store, however, was confiscated. Alexander Hamilton purchased the Bladensburg property from the commissioners for £337.10.0 on July 20, 1785.³⁸

Although the last letter in the first letterbook in the Glassford Papers is dated June 1776, Hamilton probably remained at Piscataway until 1777 or even later.³⁹ He retired to his brother's property in Berkeley County, (West) Virginia and remained there until January 1784.⁴⁰ He then returned to Prince George's County and made repeated efforts to resume the business and to regain the company's debts. A more detailed analysis of Hamilton's post-revolutionary activities will be presented in a subsequent introduction in this series. The exact date of his death is uncertain, but his will was dated May 4, 1799 and admitted to probate on July 31, 1799.

The following letters represent selections from Hamilton's extant correspondence. As much of the correspondence, even in the limited period of this selection, deals exclusively with business matters and the fear of loss at sea made it necessary to send the same intelligence by different ships, many of the letters were repetitious with the same subject being touched on in slightly differing detail in several letters. Consequently, while these letters are only a portion of the entire collection, they were considered sufficient to illustrate Hamilton's views on the more important subjects raised in his correspondence.

In editing these letters, care has been taken to preserve Hamilton's original spelling and punctuation, except that

³⁶ *Maryland Gazette*, March 12, 1781.

³⁷ Prince George's County Land Records, 1774-1780, Liber CC #2, fol. 50-51, Md. Land Office.

³⁸ Commissioners of Confiscated Property, Sale Book, 1784, fol. 49, Md. Land Office.

³⁹ The will of James Hoggan, dated May 26 and admitted to probate July 29, 1777 named Alexander Hamilton "of Prince George's County" as legatee and executor (Prince George's County Wills, Box 12, Folder 54 HR). Hamilton is not named in the 1776 census, but a household consisting of James Miller, aged 33, two other white free males, aged 33 and 28, and Jean McDonald, aged 28, and nine slaves (Census of 1776, Box 2, Folder 18, Prince George's County, fol. 19, HR) may very possibly include him.

⁴⁰ Glassford Papers, vol. 34, fol. 48.

dashes are replaced by commas and superscript letters brought to the line. Where the sense required it, additional punctuation and capitalization has been introduced for clarity. No omissions have been made in the text of the letters, with the exception of a listing of bills of exchange repeated twice in successive letters, which exception is noted in the text. All letters in this section are from volume 34 of the Glassford Papers in the Library of Congress.

THE LETTERS, 1774

1

To James Brown and Company

Piscataway 18th May 1774

Messrs. James Brown & Co.

Gentlemen

I refer you to my last, Since which I have received on the 16th Ultimo your favour of the 18 January and observe the Contents. The Jenny⁴¹ arrived at her moorings on the 13th Ultimo. The protested Bill of Exchange I have presented for payment the 11th Instant, but was not Successful. Have received only promises of a Speedy payment.

Mr. George Gray⁴² for his Employers took a Charter in the Jenny for 100 Hhds.⁴³ It was some time longer before I could get another one, and was at last obliged to take from Mr. Robert Findlay⁴⁴ an Exchange freight for 100 Hogs heads more, & the Ship falls down to Nanjamoy,⁴⁵ to be filled up by him this day. I am in hopes without an accident she will Sail in the first week in June. I have been Extremely unlucky in getting my Tobacco on Board, and which has been the detention of the Ship at least a week, indeed I may say a fortnight longer than She would have been had it not happened: and I could not borrow Tobacco to replace it. On Wednesday the 4th Instant a flat [boat] with thirty Hogsheds of

⁴¹ The ship *Jenny* of Greenock, Scotland, owned by James Brown & Co.

⁴² George Gray was factor at Portobacco, Charles County, Md. for John and James Jamieson of Glasgow in 1774. He represented the Glassford interests at Dumfries, Va. after 1784 (Glassford Papers, vol. 34, fol. 49).

⁴³ 100 hogsheds of tobacco.

⁴⁴ Robert Findlay, Jr., a partner in Cuninghame, Findlay & Co. of Glasgow and their chief factor in Maryland.

⁴⁵ Nanjemoy, Charles County, Md.

my Tobacco, on her way to the Ship and off Mrs. Stoddert's⁴⁶ above the mouth of Pomonkey Creek, was suddenly overset in the Middle of the River by a severe Squall of Wind and filled with water, and sunk. The Tobacco flotted out and next day and the day after it I had it all brought up to this Warehouse & Pomonkey, where it has been Shaked out. It will be some time before I get it prised up⁴⁷ again. Besides the discoloring the Tobacco, there will be a very great loss in it, and it will be attended with a very considerable expence. The Master of the Vessell took a protest and made Oath that his Vessell was in very good order, well fitted & Manned, and was suddenly overset as I have described it. I have made every inquiry into the truth of this Affair, and do not find that what the Master has said is false. The weather for a few days after this unfortunate accident was very cool, and has been of very great service in preserving the Tobacco. On the Nights of the 4th and 5th instant there was a very severe frost, so as to destroy all the fruit, & greatly⁴⁸ the Wheat to such a degree that in Loudo[u]n & Frederick Countys in Virginia not one half of the quantity will be made that was expected, so say some of the Farmers in these Countys.

Tobacco comes very slow into the Warehouses this spring owing to its being so extremely dry and unseasonable and the Inspection Law⁴⁹ has already been of very considerable Service to the Staple. There never has been in the length of time since the Inspection Law took place in this Province so much Tobacco Refused at the Warehouses, and so generally, especially at the Shore, at and below Pomonkey. I am in great hopes that the Staple will be greatly amended by it, the quantity lessened, and the price raised with you. 14/- Currency⁵⁰ is now given for Tobacco on Potowmack all Cash, and on Patuxent at Nottingham Messrs. Contee & Bowie give 16/8 Currency, and at Magruder's Warehouse Contee & Magruder give the same price.⁵¹ It will have an Effect on our purchase here, that is, our quantity may be lessened, for I do not think any regard will be paid to it. The 6th day of next month the loan office will be opened for those who want to borrow money at four per Cent, the

⁴⁶ The heirs of John Truman Stoddert owned land near the mouth of Pomonkey Creek, Charles County, in 1773 and a tobacco warehouse was located there (*Arch. Md.*, LXIV, p. 152).

⁴⁷ Officially appraised by the inspectors.

⁴⁸ A word has been omitted in the original.

⁴⁹ "An Act for the Regulation of the Staple of Tobacco and for Preventing Frauds in His Majesty's Customs," provided for the appointment of inspectors, nominated by each vestry, to examine the quality of tobacco (*Arch. Md.*, LXIV, pp. 151-192). It was enacted on November 30, 1773.

⁵⁰ Maryland Provincial currency; Cf. Saltow, "Scottish Traders," *loc. cit.*, p. 89.

⁵¹ Nottingham, Prince George's County. Magruder's was near Benedict, Charles County (*Arch. Md.*, LXIV, p. 152).

Sum to be lent is 266,666 $\frac{2}{3}$ dollars, to be divided equally among the Countys agreeable to the Number of taxables in each County.⁵² I have received many promises of payment at that time with that money. I am yet at a loss how I shall receive it. If the Exchange is not raised above par by it, the Trade will be benefited by it, but if it raises the Exchange about that and Consequently Country Commodities above their value it will be very prejudicial. I must draw on you shortly, if I cannot get it paid other ways, for your proportion of a Cargo for the Rum Store which is expected every day.

The inclosed three Bills, you will please pass, the two first to the Credit of this Store & the last to the Lower Marlboro Store.

1773 Decr. 6 William Sascr⁵³ on William Molleson
Merchant in London at Sight favour of Charles
Hagart⁵⁴

£ 10

1774 April 21 Robert Findlay Junr. on Cunningham
Findlay & Compy Merchants in Glasgow at 60 days
Sight in my favour

£ 42..16..3

1774 April 15 Gavin Hamilton Smith⁵⁵ on William
Molleson Merchant in London at 30 days sight in
my favour for

£ 52..11..11

£105.. 8.. 2

I shall write you fully by the Jenny, and have only now to add that I am

Gentlemen

Your most Obt. Servant
Alexander Hamilton.

⁵² This act passed the Lower House in 1771 (*Arch. Md.*, LXIII, pp. 118, 158-160) but was finally enacted only on Dec. 21, 1773. Text in *Arch. Md.*, LXIV, pp. 242-253.

⁵³ William Sascr owned 470 acres of land in Prince George's County in 1771 (*Debt Books*, Prince George's County, 1771, fol. 17, Md. Land Office).

⁵⁴ Charles Hagart, a factor for one of the Glasgow firms, returned to Scotland in October 1775 (*Glassford Papers*, vol. 34, fol. 45). Hagart managed the Glassford and Henderson store in Philadelphia in 1778 (*Glassford*, Gordon, and Montieth letterbook, N.Y. Hist. Soc., fol. 32, 54).

⁵⁵ Gavin Hamilton Smith took the oath of allegiance in Calvert County in 1778 (*Oath of Allegiance*, Calvert County, Box 3, Folder 29, HR). He married Rachel, daughter of Samuel Lane. A suit to force the sale of lands owned by Lane in Calvert and Anne Arundel Counties in 1795 mentions their children, Samuel Lane Smith, William Hamilton Smith, Robert Smith and Matilda, wife of Theodore Hodgkin, all 21 years old or older, Richard Smith, Joseph Smith, Rachel Smith, Hester Smith and Sarah Smith, all minors (*Chancery Papers* #3882, Md. Land Office).

To James Brown and Company

Piscattaway 28th May 1774

Messrs James Brown & Co.

Gentlemen

I refer You to my last, copy of which you have inclosed with the Second Copys of the Bills therein mentioned. Since which have not received any of your favours. I now inclose your Invoice of 116 Hhds. Maryland Leaf Tobacco amounting to 112,100 lbs. Nett Tobo. which is at your debit with this Store, also an Acco[un]t of two Osnabrig Beds containing 114 lbs good feathers for Mr. Dreghorn,⁵⁶ Bill of lading, Copy of agreement with Messrs. Geo. Gray & Robt. Findlay Junr., Mr. Campbell's⁵⁷ Chest, his Chest Key and some other things with an Inventory of the whole. His Account on the Store Books preceding and Antecedent to his death unsettled as I do not know what wages he was to get from you. Mr. Campbell died on the 13 day of May 1773 and you know when his agreement with you Commenced. I wish them all safe to hand & to a good Markett. It is all new Tobacco of this Inspection except 40 hhds. under the receiving agreement & will be much Better in Quality than any that has been shipped from any Warehouse below this for these two years past. Had not the Misfortune befallen me that I mentioned in my Last I should have shipped you at this time thirty Hhds. more; that Tobacco I am afraid will turn out very badly, having greatly lost its Colour, flavour, & substance. I shall get it Reprized as soon as possible and ship it home, but I am greatly afraid of its turning out Badly for any European Market. The Jenny may be sent out again immediately. I do not think we shall be able to load both her and the Moore.⁵⁸ If we receive no more than we did last year, we cannot load but one of them. I cannot count on any more than 300 Hhds., 100 of which must be shipped on Board of a Ship which Mr. Findlay expects every day. It is probable Mr. Hoggan⁵⁹ may not get that Quantity. The price of Tobacco will not be high and there is a great many Ships in

⁵⁶ Robert Dreghorn, a partner in James Brown & Co.

⁵⁷ Alexander Campbell, an employee of James Brown & Co.

⁵⁸ The ship *Moore* of Greenock, also owned by James Brown & Co.

⁵⁹ James Hoggan, factor at Bladensburg for James Brown and Co., joined the firm in 1766 (Glassford Papers, vol. 19, fol. 28, 200-201). The will of James Hoggan of Bladensburg, merchant, dated May 26, 1777 and probated July 29, 1777, leaves bequests to his youngest sister, Mrs. Mary Deane, and two other sisters, unnamed, all in Scotland, James Brown, Sr. and Mrs. Bridget Leechman, both of Glasgow, and Joseph Noble Baynes and Alexander Hamilton, both of Prince George's County (Prince George's County Wills, Box 12, Folder 54, HR).

the Patuxent and this River on Consignment from London, and which will be a great inducement for People to Ship Rather than Take a low price. I expect to receive more than 300 Hhds. but cannot say how much with any Certainty. The Loss of some very Considerable Customers and the Superior prices given on Patuxent for these some years past has Reduced this Store's purchase greatly & I do not see any Chance of Retrieving it until the prices here are equall to the Patuxent prices.

No Cash or Bills to be got. No Bills to be got for Cash. I do not expect to receive any considerable payments until the money is emitted and without Tobacco can be got at a low price for that money I shall be at a loss what to do with it. I am greatly afraid it will raise the Exchange. Have not got paid of Alexr. H. Smith's⁶⁰ protested Bill. He promises fair to pay it in a short time. I shall be under the Necessity of Submitting to a longer time in expectation of getting paid without a Lawsuit. I have not yet seen Captain Walter Brookes⁶¹ about the Chest of Tea, when I do, which I expect will be soon, Shall get the necessary Certificate. You will please to send out a Certificate for Capt. McLarty's⁶² plantation Bond, otherways it will be put in Suit against me.

You say you are astonished at the small remittance made you last year from this store, where so much money is due you. I can assure you that I did every thing in my power to make it Better and did not a thing neglect your Business. But there being no Inspection Law and People not obliged to Bring their Tobacco to the Warehouses until they pleased, and the prices lower than they expected, many of them would not carry at all,⁶³ and to sue them, which has been the case with many, has not yet compelled a payment; from the State [ment] I sent you last, you will see that I have sued a great many, few or none of which I have Received any Payment from yet, nor do not expect before the 10th day of February next; although I expect to get Judgment against them at August Court, I shall not receive the payment then, as they will Superside until february. You are very well acquainted with the tediousness of the Law here and the generally litigious disposition of the people, how well they are acquainted with every chicanery that the Law will admit of to keep off payment of their debts & what good use they make of that knowledge. Last Charles County

⁶⁰ Alexander Hamilton Smith of Calvert County, otherwise unknown.

⁶¹ The will of Walter Brooke of Charles County, dated 1781, and probated in 1782, leaves bequests to Cloe Brooke, a sister, and nephews Horatio Robey and John Padgett (Charles County Wills, Liber AF #7 1777-1782, fol. 697, HR).

⁶² Angus McLarty, shipmaster of Greenock, died in 1775 (*Scottish Record Society Publications*, VII, p. 313). The plantation bond was a duty paid by shippers of enumerated products, such as tobacco.

⁶³ Many would not deliver tobacco to the Brown store.

March Court I expected Judgment against several people whom I had Sued the March preceding. The Court was adjourned untill the 26th instant, and has since been adjourned to a further time. By such things as these I have been prevented from making you a better remittance. I have not nor shall not neglect any opportunity of making as good and Speedy a remittance as possible, and if it Should not answer your expectation, I cannot help it. On inquiring you will find that remittances from most of the Stores on Potowmack Last year fell greatly Short of which might have been reasonably expected from so many debts, and I daresay they think as you do, that the Business, unless it takes a turn for the Better, will not be worth the Continuing. You may rest assured that every thing in my power shall be done for your advantage and that, I shall be satisfied with whatever your determination may be with respect to your future operations.

I was under a necessity to agree with Mr. Findlay to have the Tobacco I am to ship on Board of his Ship landed at Port Glasgow. He would not agree to deliver it at Greenock.⁶⁴ The Exchange in some other respects is against me, But I was oblig'd to submit or keep the Ship on Expence.

I have this minute received yours by the Active though she has been at her Moorings these eight Days, and had sent an express with Letters for Mr. Claggett⁶⁵ but through a Negligence had forgot to send mine. Should you send the Moore out here in June, She will in all probability lye untill September or October for we have not Tobacco to Return the Exchange freight with Mr. Findlay but depend on our Collection [of debts] to Comply with that agreement. If you will please to turn to mine of the 4th December last, you will see that after making allowances for what we might collect betwixt⁶⁶ and the Middle of May, we would be short of the Jenny's load, two Hundred Hhds., and betwixt that time & June we could never advise you with certainty of our operations in Loading the Jenny nor what Tobacco we might have or expect by the middle or last of July so as to reach you in time to send out the Moore. If She comes, we shall endeavor to get a Charter for her, should we not have Tobacco to load her.

⁶⁴ Greenock and Port Glasgow on the Clyde were Glasgow's chief ports.

⁶⁵ Thomas Claggett owned 500 acres of land in 1771 (Debt Book, Prince George's County, 1771, fol. 4, Md. Land Office). Thomas Claggett, aged 35, his wife, Mary, aged 30, their children, Mary, Judson, Thomas and Hector, and 16 slaves are listed in the 1776 census (Census of 1776, Box 2, Folder 18, fol. 1, HR). He married a daughter of Enoch Magruder of Broad Creek (Kellock, *Piscataway*, p. 40).

⁶⁶ A word is omitted in the original.

It is true I have a great many Goods on hand, but they are not Such as I want or Such as I can sell at this time. I wrote you the 19th & 24th March inclosing you a State of your business at this Store, and which I hope you have received before this Time. You will see by the Inventory that it will take a Considerable part of my scheme to assort the Store⁶⁷ & that Large Quantity of Goods on hand is much owing to many of unsaleable goods, such as shalloons, Riggs, Hessians, white Rolls, Bad Irish Dowles, Pomerania linen, fine Irish Linen, an enormous quantity of Checks, Stript & Brown Holland, Shaggs & many other Articles.⁶⁸ A large Proportion of these goods came from Lower Marlboro Store. Had I not been burthened with these goods, for they are of no use to me in the Purchase [of tobacco], my scheme would have been moderate enough, and could I now sell off all, and Keep only such as would make an Assortment of the different kinds I have, the Store would be very thin, and would require a very Considerable Supply to retain what custom it has got. I mean not, nor desire not, to increase your debts, but I should be glad to have such a Supply as will Command some respect to this store and enable me by the Sale of them to help to pay for the Charge of Storekeeping and at the same time not injure the Collection & lessening of many of your debts.

I shall give due attention to your orders, and shall not draw on you for any part of the Tobacco purchase, but confine myself to what I may receive in payment of the debts. I shall give in the Certificate to the Naval Officer.⁶⁹ The first time I see Daniel Jenifer⁷⁰ Shall present our order for payment.

From the present prospect there will be a great deal of Tobo. planted, most people are prepared, and many have planted part of their Crops. I shall advise you of this hereafter. Inclosed you have Capt. McLeish's Sett⁷¹ on you at 30 days Sight in my favour for £49..17..10 St[erlin]g which you will please pass to the credit of this store.

I am, Gentlemen

Your most obt. Servant
Alexander Hamilton

⁶⁷ To give variety to the stock of the store.

⁶⁸ All are varieties of cloth.

⁶⁹ Richard Lee was the Naval Officer for the Potomac from 1745 to 1776 (Donnell M. Owings, *His Lordship's Patronage* [Baltimore, 1953], p. 160). He resided at "Blenheim" near Cedar Point in Charles County (Farish, *Fithian*, p. 129) and owned 1,171 acres in Prince George's County in addition (Debt Books, Prince George's County, 1771, fol. 43, Md. Land Office).

⁷⁰ Daniel of St. Thomas Jenifer, *DAB*, X, pp. 42-43.

⁷¹ Captain Robert McLeish of the *Jenny*.

30th Since writing the within the post has brought the Resolutions of the City of Annapolis⁷² which you have herein inclosed. Despatches have been sent to the Burgesses of every County to convene at Annapolis and enter into further Resolutions. I should imagine they are too violent to Continue. However time will show. Should they adhere to those Resolution the consequences will be extremely fatal to the People trading from Great Britain, at all events it will be productive of a great deal of Mischief by encouraging those, who at all times are tardy, to delay the payments of their debts. I am afraid I shall find it a difficult matter to make any kind of Collection, & it will be prudent if more Lenient measures are not pursued, to shut up Store at once and wait the Event of all this heat. It is said the Bostonians have strongly recommended to the Southern Colonys to distress as much as they can the trade from Scotland, giving for Reason that the Scots members in the House of Commons were unanimous against them. But it is suspected that this is done to terrify the trade of Glasgow & force them to petition the Parliament for a Repeal of the Tea Act, well knowing they have very considerable property in this part of the continent. The most thinking part of the People with whom I have had any conversation on these Resolves blame these violent measures of the Metropolis, & say that Such an inconsiderable Province as Maryland ought not to have taken the Lead at any rate, but have waited the Resolves of the more Considerable ones & then have assembled and weighed maturely their Resolves & the Consequences. I shall write you again by the next opportunity. I am,

Gentlemen

Your most obt. Servt.

Alexander Hamilton

By the Jenny

3

To James Brown and Company

Piscataway 13 June 1774

Gentlemen

I refer you to my Last a copy of which you have inclosed, and the following Bills, also Capt. McLeish's bills of Lading for Mr. Hoggan's and my own Tobacco shipped on board the Jenny.

⁷² Resolutions calling for non-importation and non-exportation (*Md. Gazette*, May 26, 1774).

May 27 Sarah Cole⁷³ at 60 days sight on Mr. Wm. Molleson Mercht. in London in favour of Jas. Green Junr.⁷⁴ indorsed by him & me

Sterling £52.. 7..4

June 4 Thomas Stevens⁷⁵ at 30 days sight on Mr. Wm. Molleson Mercht. in London in my favour 4..16..3

March 14 Francis Gilbert⁷⁶ at 30 days sight on West & Hobson in favour of Thomas Collis⁷⁷ indorsed George Frazer Hawkens⁷⁸ Peter Campbell⁷⁹ & myself

5.. --..

£62.. 3..7

You will please pass them to the credit of this Store.

I have a considerable sum of money on hand but I cannot procure bills for it. Exchange here has not been above par yet, but it is expected will be soon; the new money being issued will perhaps raise the Exchange as soon as it gets into general circulation. I am at a great Loss what to do with this money, and am afraid it will be prejudicial to the trade. I shall convert it into bills as fast as I can and remitt to you.

I shall be under the necessity of drawing on you for your propor-

⁷³ Sarah Cole sold tobacco to Brown & Co. at Piscataway, but did not own land in Prince George's County in 1771 (Glassford Papers, vol. 20, fol. 147). The will of a Sarah Cole of Charles County, admitted to probate July 17, 1786, names her grandchildren James, Edward, Michael, Thomas, Nicholas, Sarah and Charles Fenwick as legatees (Charles County Wills, Liber AH #9 1785-1788, fol. 253, HR).

⁷⁴ James Green, aged 37, wife Elizabeth, aged 30, three children and seven slaves appear on the census of Piscataway Parish (Census of 1776, Box 2, Folder 18, Prince George's County, fol. 53, HR). The will of James Green of Prince George's County, dated November 15, 1774, leaves property "Strife" and lands in Mattawoman Swamp to his wife, Eleanor, and children John, Thomas Edelen and Basil Green (Magruder, *Abstracts*, I, p. 4).

⁷⁵ Thomas Stephens, aged 30, wife Mary, aged 26, three children and one slave, in Piscataway Parish (Census of 1776, Box 2, Folder 18, Prince George's County, fol. 85).

⁷⁶ Francis Gilbert of Frederick County, farmer, sold a 61 year lease on 50 acres of land on Piscataway Creek to Alexander Hamilton for £150 Currency on November 7, 1774 (Prince George's County Land Records, 1774-1780, Liber CC #2, fol. 50-51, Md. Land Office).

⁷⁷ Unidentified.

⁷⁸ George Frazier Hawkins, aged 35, wife Susanna, aged 26, two children and 22 slaves (Census of 1776, Box 2, Folder 18, Prince George's County, fol. 75, HR). He owned 492½ acres in 1771 (Debt Book, Prince George's County, 1771, fol. 11, Md. Land Office).

⁷⁹ Peter Campbell was a factor for John Glassford & Co. in Prince George's County (Magruder, *Abstracts*, V, p. 47). He returned to Scotland in 1775 (Glassford Papers, vol. 34, fol. 45).

tion of a Cargoe of Rum & sugar just arrived for the Rum Store, if I cannot prevail with the furnisher to take Cash in payment. If I am obliged to draw, it will be on London at 120 days eight, and I think I shall be able to replace it before it becomes due. The Protested Bill of Alexr. Hamilton Smith's is not yet paid. He promises to pay me with paper money but I shall insist on the Bill to be renewed.

The Jenny left Mr. Lee's office on the 30th Ultimo,⁸⁰ since which I have not heard from the Capt. The wind was very favourable the day after she sailed from thence.

Tobacco comes in very slow to the Warehouses and but very indifferent in Quality. Should the Moore come in soon, as I wrote you before, we shall be greatly put to it to Load her unless a freight offers. I look for what goods you will think proper to send, every day. Most of the stores here & in this Neighbourhood have got theirs, but have not opened them, nor do not intend untill they see how matters are Likely to be settled betwixt Britain and the Colonies. There is to be a meeting of the Committees of each County of this Province at Annapolis to Consult on measures for the Generall good of the Colonies. Although the Metropolis, and some other of the Committees have resolved agreeable to the printed resolve sent you by the Jenny, yet it is expected that these will be rejected in some measure by the General Committee. From what I can learn from the people they are in generall greatly averse to these violent measures, and are desirous of living in amity with Britain. It is expected the mode then, will be a free exportation and a partial importation, and that agents will be appointed to attend a Generall Congress of the other Colonies, for the purpose of effecting a speedy & amicable accomodation with Britain. Should violent measures be adopted in that assembly, it will be prudent as well as necessary to pack up our Goods, and send them home. The Consequences at least will be destructive to this Country. May God dispose the hearts of all parties to have this great point settled on a firm and lasting foundation. I have only to add that I shall give all due attention to your Business and that I am

Gentlemen

Your most obt. Servant
A. H.

By the Potowmack⁸¹

⁸⁰ Mr. Lee's office at Cedar Point on the Potomac (Cf. Note 69).

⁸¹ The *Potowmack* of Greenock, owned by John Glassford & Co.

To James Brown and Company

Piscataway, 27 June 1774

Messrs. Jas. Brown & Coy.

Gentn.

I refer you to my last by the Potowmack, a copy of which you have inclosed. . . .⁸²

Tobacco comes in very slow to the Warehouses, and as Harvest is now come on, there will be little bro[ugh]t down untill that is over. The generall meeting of the agents at Annapolis from the different counties in the province began on the 22d instant. The post who came from thence on Saturday Evening the 25th brings no news nor any thing of what they have been doing. The trade is in hopes the Resolves of this generall meeting will not be so violent as those of some of the Countys, and that a partial importation and a generall exportation will be allowed to some future day, and that the administration of Justice will be continued as heretofore without partiality. The Lower Countys and indeed the most rational part of the province think they cannot subsist without an importation of some articles such as Cottons, osnaburgs, coarse cloths, coarse white Linens, Nails, salt, and some shoes for some considerable time to come, not having materials and hands proper to manufacture these articles at present, and that it is too late in the season to raise enough of these materials for the Demand. Where and when the generall congress is to be is not yet fixed on, at least it has not transpired. Paper money I have on hand, but cannot procure Bills for it. I shall pick up all I can & remit to you as I receive them. I dayly look for what goods you may think proper to send me. From the present appearance the importation will be small and I am in hopes will help me off with articles which otherwise would lye on hand & of course be greatly hurt.

Capt. McLeish drew on you for £36.--.4 Stg. for fees of the Jenny the 30th ultimo indorsed by me. She cleared out at the Lower office⁸³ the 31st and I am in hopes she is near home by this time. I have spoke to Mr. Walter Brooke and he has wrote to the Collector⁸⁴ for a certificate for the tea and which I hope will be

⁸² The bills of exchange listed in the preceding letter are repeated here. Note that he sends the same letter via another ship to insure its delivery.

⁸³ The *Jenny* cleared customs as George Plater's office in St. Mary's County. George Plater was Naval Officer from 1767 to 1776 and resided at "Sotterley" in St. Mary's (Owings, *Patronage*, p. 160).

⁸⁴ Benedict Calvert of Mt. Airy, Prince George's County served as Collector of Customs from 1744 to 1776 (Owings, *Patronage*, p. 169).

sent to you in due time. You will please to remember Capt. McLarty's certificate to cancell his plantation Bond; if it is not sent out the Bond will be put in suit against me.

In this ship goes passenger Mr. James Lawson⁸⁵ who intends to settle all his Business in Glasgow, and return here with his Wife and family to spend the rest of his Life. Having nothing more to say at present, I am

Gentn.

Your most Obt. Servt.

A. H.

N.B. There has been a planting season lately, and most people have finished planting their Crops. The weather has been remarkably favourable ever since.

By the favour of Mr. Jas. Lawson by the Active.

⁸⁵ The will of Robert Lawson, dated Jan. 3, 1798 and probated June 26, 1798 (Charles County Wills, Liber A.K. #11 1791-1801, fol. 456 HR) mentions his father, James Lawson, now of Glasgow, Scotland, for whom Robert Lawson had acted as attorney in Virginia and Maryland, "since he left this country." The testator's sisters, Agnes Lawson of Glasgow and Mary Lawson of Charles County also received bequests.

(Continued in December)

SIDELIGHTS

SNOW *v.* GERARD

AN EPISODE OF EARLY MARYLAND HISTORY

By DAVID SPALDING, C. F. X.

IT is often the minutiae of history, the footnotes or the parenthetical addenda, that afford the deepest insight and interest in a study of larger issues. It is only by occasional excursions into the bypaths of history that one gains the intimate acquaintance so necessary for a real appreciation of an era and the people who make it. A case in point is a bit of litigation that was bandied about in courts of early Maryland, a case whose story brings into sharper focus such elusive or neglected facets of our early history as the influence of family connections in colonization, the importance of land in the life of the early settler, and the operation of colonial justice. It is, moreover, an interesting story in its own right. The defendant in the case was a man who managed to carve for himself a minor niche in Maryland history. He was Dr. Thomas Gerard.

About the beginning of 1638 Gerard made his decision to sail to America. He was at that time the master of New Hall in Lancashire, one of the principal freeholds upon the manor of Ashton, the premier feudal estate of his distant kinsmen, the Gerards of Bryn.¹ He was a surgeon, a man of comfortable means, but a member of the ambitious lesser gentry (ambitious because it was lesser), who were ever ready to take advantage of any opportunity to advance their station. Two families with which he was closely connected contributed toward his initial decision to sail to Maryland: the Gerards of Bryn and the Snows of Ferny Hill in Staffordshire.

Since the Gerards of Bryn had long been interested in a New

¹Dr. Thomas Gerard was the son of "Mr. John Gerard of New Hall." See *The Victoria History of the Counties of England: A History of Lancashire*, (London, 1911), IV, 147, n. 68; *Archives of Maryland*, XLI, 543, 544, 548. This John Gerard was the second cousin of Sir Thomas Gerard of Bryn, the first baronet. The relationship of the two families has recently been traced by Ross F. Collins and Walter W. Folger and a genealogy deposited in the collection of the St. Mary's County Historical Society. The *Chronicles of St. Mary's*, the monthly bulletin of this society, contains much information on Dr. Thomas Gerard. See Vol. 7, No. 7; Vol. 10, Nos. 10, 11; Vol. 12, Nos. 4, 5. See also Edwin W. Beitzell, "Thomas Gerard and his Sons-in-Law," *Maryland Historical Magazine*, XLVI (1951), 189ff.

World haven for English Catholics, Lord Baltimore found a ready response at Ashton Manor in his endeavor to recruit adventurers for his New World palatinate.² Richard, the younger brother of the baronet and lord of Ashton, Sir William Gerard, sailed in the *Ark* in 1633. He remained in America little more than a year, but his accounts of Lord Baltimore's colony doubtless made their impress upon his kinsman, Dr. Thomas Gerard.³ Even more important, however, in influencing Gerard's decision was the Staffordshire family into which he married. His wife, Susannah Snow had three brothers who were closely associated with Lord Baltimore in his New World venture. Abel Snow of the Cursitor's Office in Chancery Lane was one of the first to receive a sizeable land grant in Maryland because of his "good and Laudable services" to the Proprietor.⁴ Justinian and Marmaduke Snow sailed to America to develop the lands granted their brother; Justinian was made chief factor in the proprietary fur trade.⁵ It was not long before they were able to induce their brother-in-law to join them in their undertaking.

Gerard arrived in the colony in April, 1638,⁶ and resided with Justinian and Marmaduke at Snow Hill. This first trip, however, seems to have been of a purely exploratory nature, for Gerard left his family in Lancashire and brought no provisions for an establishment. Even his passage money was paid by Justinian Snow.⁷ A sudden and unexpected turn of events, however, determined Gerard on his future career in the New World.

Justinian Snow died at sea upon his return from a visit to England in 1639. His brother Marmaduke soon after fell violently ill and was declared "non compos mentis," so that the administration of the Snow estate in Maryland devolved upon Gerard.⁸ Finding both men and material at his disposal, Gerard determined to establish his own estate and make his fortune in tobacco. On

² Sir Thomas Gerard, the great-grandfather of Sir William, lord of Ashton, was largely responsible for turning the second expedition of Sir Humphrey Gilbert into a Catholic venture. See Wesley Frank Craven, *The Southern Colonies in the Seventeenth Century* (Baton Rouge, 1949), pp. 36-37.

³ Richard was a romantic adventurer; an account of his life is to be found in the *DNB*.

⁴ *Arch. Md.*, XLI, 533-534. He was granted 6000 acres, 1000 of which was erected into a manor. "Land Notes," *Md. Hist. Mag.*, V (1910), 366; VI (1911), 198.

⁵ *Arch. Md.*, IV, 5.

⁶ "Land Notes," *Md. Hist. Mag.*, V (1910), 168. Although Marmaduke Snow is recorded as having entered at the same time, he had been in the colony for some months. He is listed in the first sessions of the Provincial Assembly in January, 1638. *Arch. Md.*, I, 2, 5.

⁷ *Ibid.*, IV, 85.

⁸ *Ibid.*, 55-56.

October 29, 1639, he submitted a "demand," or claim for land, declaring headrights for the former servants of Justinian Snow.⁹ On November 3, he received a patent in the name of the Lord Proprietor for the manor of St. Clement's, the first manorial patent to be issued in the colony itself.¹⁰

In the summer of 1640, Gerard returned to England to make the necessary adjustments with Abel Snow and to acquire additional servants and capital for expansion. A commercial agreement was drawn up in June and confirmed on October 5, 1640, in which Gerard contracted to deliver to Abel Snow 35,000 pounds of tobacco over a period of four years in return for a loan of about £180 (and doubtless also for the men and material he had appropriated in Maryland). Gerard further signed a recognizance for £1000 as a guarantee of delivery.¹¹ This recognizance was to form the basis of protracted and painful litigation in his later years. The agreement was witnessed by Lord Baltimore and two prominent colonists then in London, Thomas Cornwallis and John Langford.

After his return to Maryland Gerard began in earnest to establish himself as a leading landholder in the colony. He was now definitely stricken by a common malady of his age—land hunger. Through the headrights system or by assignment from fellow colonists he acquired thousands of acres of land. St. Clement's Manor was enlarged, according to the certificate of survey, to 6000 acres, but in reality, as later discovered, to 11,400 acres.¹² In 1650, or shortly before, he sold his estate in Lancashire and moved his family to Maryland, acquiring at the same time two additional manors, Basford and Westwood, and a sizeable tract in Westmore-

* Land Office Records, Liber ABH, fol. 68. The men listed by Gerard in this demand are found as servants in the inventory of Justinian Snow. *Arch. Md.*, IV, 79-84.

¹⁰ It was not until 1639 that the machinery was actually set in motion for the erection of manors in the colony. Although Leonard Calvert had been granted three manors by special warrant as early as 1634, they were not granted by patent in Maryland until August, 1641. Two manors were also laid out for Thomas Cornwallis before that of Gerard, but the patents for these manors were not issued until after Gerard received his. See Donnell M. Owings, "Private Manors: An Edited List," *Md. Hist. Mag.*, XXXIII (1938), 311-312. Gerard's patent is in the Land Office Records, Liber ABH, fols. 68-70.

¹¹ *Arch. Md.*, XLI, 542-543.

¹² "Land Notes," *Md. Hist. Mag.*, VI (1911), 268. This remarkable discrepancy was not discovered until after Gerard's death when a resurvey of the manor was made. Claiming that the land had been "unduely and surreptitiously obtained," the Court of Chancery issued in 1678 a writ of *scire facias* for its confiscation. The matter was reconsidered, however, for a new patent was shortly after granted to Justinian Gerard, the eldest son and heir, for the full 11,400 acres. *Arch. Md.*, LI, 505-506; Owings, *loc. cit.*, 312.

land County, Virginia.¹³ At the mid-point of the 17th century Dr. Thomas Gerard was without doubt the greatest landholder in the colony and was well on his way to becoming one of its richest and most politically powerful men.¹⁴ But his acquisitive spirit was not entirely satiated, for he still coveted the old Snow estate, or Snow Hill Manor. This was the tragic flaw that proved his undoing.

In February, 1640, Gerard had acted as Abel Snow's agent in presenting the demand for Snow Hill Manor and had seen to its erection.¹⁵ To all this Marmaduke Snow had shown a remarkable unconcern and soon returned to England, taking with him the manorial patent. Snow Hill Manor remained unseated for the next nine years, but Gerard considered himself virtual owner by default. Sometime during or before the year 1649 Abel Snow died, for in August of that year Lord Baltimore regranted Snow Hill to James Lindsay and Richard Willan.¹⁶ It was not until some ten years later, however, that Gerard contested this disposition in the Provincial Court, asserting his right through his wife as next of kin. He proceeded at the same time to negotiate for the sale of some of the land.¹⁷ Lord Baltimore, informed of Gerard's action, persisted in his claim of escheat and the subsequent right to regrant the land. His decision was read in court March 3, 1660.¹⁸ Gerard was embittered by the decision. Ten days later he aligned himself with the insurgents who sought the overthrow of the proprietary power in Maryland. With his participation in the ill-timed and ill-fated Fendall Rebellion, Thomas Gerard's star fell ignominiously. But personal misfortune did not end here.

Prior to the abortive rebellion Lord Baltimore, in an attempt to strengthen his claim upon Snow Hill, had approached Marmaduke Snow, then living in England, to persuade him to surrender the

¹³ "Land Notes," *Md. Hist. Mag.*, VIII (1913), 262; Land Office Records, Liber ABH, fols. 181-182, 193-194; Lyon G. Tyler, "Washington and his Neighbors," *William and Mary Quarterly*, Ser. 1, IV (1895), 36. New Hall in Lancashire was sold to the Lander family and later became the principal residence of the Gerard's of Bryn. Gerard probably considered himself well rid of this estate as Ashton was one of the most sorely devastated areas in the Royalist uprising of 1648 and was the scene of other battles in 1651. See Ernest Broxap, *The Great Civil War in Lancashire* (Manchester, 1910), pp. 173, 192-193. Basford was surveyed for 1500 acres but was later found to comprise 4000. Westwood was a 1600-acre manor. Owings, *loc. cit.*, 318.

¹⁴ See David Spalding, "Thomas Gerard: The Study of a Lord of the Manor and the Advantages of Manor Holding in Early Maryland," *Historical Records and Studies*, XLIV (1956), 13-44.

¹⁵ "Land Notes," *Md. Hist. Mag.*, VI (1919), 198.

¹⁶ "First Land Grants in Maryland," *Md. Hist. Mag.*, III (1908), 162. The patent was not granted in Maryland until December, 1652. *Arch. Md.*, XLI, 265.

¹⁷ *Ibid.*, 265, 539-541.

¹⁸ *Ibid.*, XLI, 372-373.

original patent. The discovery of Gerard's attempt to usurp the Snow property in Maryland had the effect of rousing the diffident Marmaduke to action, and a bargain of sorts was made. He agreed to surrender the patent in return for Lord Baltimore's endorsement of a long-standing claim that the Snows held against their brother-in-law. Gerard, it seems, failed to deliver the tobacco specified in the commercial agreement of October 5, 1640, and Marmaduke had become the assignee of the £1000 recognizance that Gerard had signed as a guarantee of its fulfillment. Not only Lord Baltimore but two others who had witnessed the original transaction (Cornwallis and Langford) swore to the validity of the claim.¹⁹ By 1661 Snow had collected all the necessary documents for his intended suit against his brother-in-law. He sent these papers ahead by Captain James Neale, and they were inscribed in the records of the Provincial Court.²⁰ In December of 1662, proceedings began on one of the most important suits of early Maryland jurisprudence.²¹

The case of *Snow v. Gerard* was actually a series of cases or appeals in which the cause of one and then the other triumphed in succession. The initial action was taken up by the Provincial Court but later transferred to the Court of Chancery. The Maryland courts were unprepared for the technical difficulties involved (this being but one instance of the delicate problem of adapting English institutions to colonial conditions), and the case was dismissed after somewhat superficial consideration on February 21, 1663.²² There seems to have been a doubt in the minds of the judges as to whether the recognizance, made in England, should stand in a Maryland court.²³ Moreover, Gerard had produced a quietus signed by Abel Snow as proof that all obligations had been cleared.

Marmaduke, however, determined to appeal and busied himself for some months in strengthening his case. It was not until September, 1664, that his petition was read in the General Assembly of the province. Snow based his appeal on the fact that the case had been improperly handled in the first instance and also offered proof that the quietus produced by Gerard was merely for

¹⁹ *Ibid.*, 543. These affidavits were signed the same day that Snow surrendered the patent of Snow Hill to Lord Baltimore.

²⁰ *Ibid.*, 531-532, 542-550.

²¹ See the introductions to *Arch. Md.*, XLIX, xi-xii, xxvi; LI, xlii-xliii; LIX, xlii.

²² *Ibid.*, I, 513-514.

²³ *Ibid.*, 514, 528. Several other technicalities were raised by the case that demanded clarification, e.g., the power of the chancellor and the distinction between the Court's powers of arbitration and judgement.

the settlement of the estate of Justinian Snow in 1639.²⁴ Gerard's defense now hinged on the absence of any recognizance in the Maryland records. Acting in the capacity of an appellate court, the Upper House of the Assembly decided that the recognizance should stand and that Gerard was obligated to Snow to the full extent of £1000. The decision was referred to the Provincial Court, whose duty it was to see to the settlement of the claim.²⁵

Gerard had evidently anticipated the adverse decision, for in May of 1664 he had transferred to his eldest son the principal plantation on St. Clement's Manor, the well developed Bromley (or Brambly), and had moved most of his valuables to his Virginia estate.²⁶ The assessment of his remaining personal property at Mattapeny, a second plantation on St. Clement's, as well as that of the plantation of Westwood Manor, came to £299 lls. 3d.²⁷ To make up the balance of the £1000 claim, the Court also awarded Snow half of the manor of St. Clement's itself.²⁸ Gerard was unwilling to let such valuable property go without a fight and made plans to repossess himself of the confiscated land. In April, 1666, the dispute was again thrown into the lap of the Provincial Assembly.

During the whole course of litigation one suspects a good deal of behind-the-scenes maneuvering, but especially in this final phase of the dispute. When Gerard produced before the General Assembly a writ of error based upon some irregularities of the Provincial Court in allotting his property to Snow, the Upper House reversed its decision of 1664 and directed that all confiscated property be restored to Gerard.²⁹ Not only this reversal, based as it was on vague technicalities, but the whole course of action is rendered somewhat puzzling by this important fact: the judges of all three courts involved—Chancery, Provincial Court, and Upper House—were one and the same group of men, his Lordship's Council.

Marmaduke Snow, now "sick and lame" and drained of the will to fight, bowed to this final decision and accepted Gerard's settlement of a horse and six thousand pounds of tobacco yearly as long as he lived.³⁰ The struggle also had taken its toll of Thomas Gerard,

²⁴ *Ibid.*, I, 513-514.

²⁵ *Ibid.*, I, 527-532; XLIX, 286.

²⁶ *Ibid.*, XLIX, 579-582.

²⁷ *Ibid.*, 401, 517-520.

²⁸ *Ibid.*, 415-416, 431. The seizure of Gerard's land took place in March, 1665.

²⁹ *Ibid.*, XLIX, 555-556; II, 11-12, 33, 59-60; LIX, 87-89. Snow himself undoubtedly contributed to the eventual triumph of Gerard when he leased the plantation of Westwood Manor, to which he had no real claim, to Captain William Boorman. *Ibid.*, XLIX, 469-470.

³⁰ *Ibid.*, II, 11; LIX, 89.

for he spent his remaining years in a life of comparative inactivity among new-found friends in Virginia while his once prosperous estates in Maryland deteriorated. After the death of the two antagonists the episode was soon forgotten, but its story remained inscribed in the records to afford a later generation of glimpse of the life that was once Maryland.

REVIEWS OF RECENT BOOKS

Your Maryland. By VERA A. FOSTER. Lanham, Maryland, 1965. x, 383. Published by author. \$4.50.

This book, published by the authoress, is designed for the young reader of the fourth or fifth grade. It is divided into six sections with a total no less than seventy-one chapters: I. Colonization, II. Colonial Days, III. Maryland and the American Revolution, IV. Maryland, A New State, V. Our State during the Civil War, and VI. Modern Maryland. The appendix comprises notes for teachers in the form of suggestions for student research teams, a bibliography, a list of the counties, a list of the colonial and state governors, and a description of the great seal of the state. There are many illustrations including a large number of drawings which the writer herself did.

In a mimeographed fact sheet concerning the publication of this book the reader is told the Mrs. Rollo, nee Foster, was to rewrite the book "nearly four times and to proofread it seven separate times!" Under such circumstances the book should be much better than it actually is. Unfortunately it suffers from unbalanced organization, insufficient attention to correct grammar and punctuation, and needless repetition (one example of the last—on page 60, the statement is made: "The number and size of chimneys was a sign of substance and prestige;" on page 65: "A man's wealth could be easily seen by the size and number of chimneys that towered from his home;" on page 66: "The more chimneys the more wealth indicated.") There are, furthermore, too many errors of fact, errors which are not included on the errata sheet such as: "There was a river [the Tennessee] that flowed from the south-southeast and into the Mississippi." (p. 276). "Maryland's branch of the Colonization Society provided thousands of dollars to help relocate Negroes on Africa's eastern coast in Liberia around 1831." (p. 295).

There are, to be sure, some passages of *Your Maryland* which are well written and which will appeal to youngsters, but the book's weaknesses regrettably outweigh its virtues. *My Maryland*, by Kaessmann, Manakee, and Wheeler is still the best book for children on the history of the Old Line State.

It is most unfortunate that mature students of Maryland's history are still without a scholarly, well-written history of the province and state, a need which the Maryland Historical Society might help to

overcome by offering a substantial prize for an outstanding manuscript and the promise of publication.

WILLIAM LLOYD FOX

Montgomery Junior College

The Quest for Power, The Lower Houses of Assembly in the Southern Royal Colonies 1689-1776. By JACK P. GREENE. Chapel Hill, N.C.: University of North Carolina Press for the Institute of Early American History and Culture, Williamsburg, Va., 1963. xi, 528. \$8.50.

At the threshold of the 20th century, the study of American colonial history was freed from the lowly status of dealing with a vestibular episode in the grander story of revolution, independence and national growth. This liberation was the result of the labors of Herbert Levi Osgood of Columbia, Charles Maclean Andrews at Yale and other historians. Their efforts, however, either stressed analysis or, like those of Andrews, were interrupted by death. The diligence of these men and their students was not quite brought to the level of a new and masterly synthesis.

Now, under the aegis of the Institute of Early American History and Culture, a newer generation of scholars has taken up the task of describing and explaining what happened during the seventeen decades which separated the English colonization from the American Revolution. The literate well-wrought synthesis and a rich variety of subject-matter have been the hallmark of the Institute's work.

What Osgood had not proposed to do and Andrews had no time to complete, Jack P. Greene has in some measure done for the four royal colonies south of the Potomac. Maryland's brief royalist episode does not qualify it for inclusion in this study. Professor Greene has described the common features of the process by which the representative houses in the Virginia, North Carolina, South Carolina and Georgia legislatures rose to political dominance during the later colonial period. To emphasize morphology, this process is treated topically under four major headings: control over finance, the civil list, legislative proceedings, and executive affairs. The climax of this development is given point by a review of the decade or so which preceded the Declaration of Independence.

Indeed, Professor Greene's most interesting contention is "that the Declaration of Independence was a more realistic analysis of the causes of the Revolution than has generally been supposed." The

common explanation for the Declaration's emphasis on the derelictions of George III has either been "legal" necessity or as a device to gain Whig support for the American cause. Greene, however, sees the attack on the King as "an expression of what by that time had become patently obvious—that the Crown and its ministers were an equal and perhaps even greater threat to American legislative power than was Parliament." Using a close study of the four southern royal colonies and sampling the others, Greene has presented a persuasory discussion.

The main body of the book, however, is a record of in-fighting and persistence. Royal governors of varying skills and determination came and went but the colonists' representative institution patiently spun a web of precedents with which to insure that their local government would become more responsive to their will. They did not conspire nor did they have a premeditated plan; Virginia's Governor Fauquier, who had occasion to judge accurately, and reason for framing politically useful, if inaccurate, accusations, flatly denied the existence of a plot to subvert the royal government. The Virginia burgesses, he wrote, "mean honestly, but are Expedient Mongers in the highest degree." The quest for power among the colonial legislators was, therefore, a blind and "chancy" thing.

What Professor Greene proposed to do, he did well. The work is an institutional and constitutional study rather than one concerned with the intricacies of politics, social structure and the developing colonial economy.

NICHOLAS VARGA

Loyola College

Theodore Sedgwick, Federalist: A Political Portrait. By RICHARD E. WELCH, JR. Middletown, Connecticut: Wesleyan University Press, 1965. ix, 276. \$7.50.

The title of this political portrait, *Theodore Sedgwick, Federalist*, seems especially appropriate, for among the party leaders Sedgwick was most nearly a professional Federalist. Even his life pattern resembles that of his party. From an advocate of independence from England, though never a radical or leveling type, Sedgwick developed into an ardent supporter of strong national government and labored manfully for adoption of the federal constitution. After more than a decade in congress, from 1789 throughout the turbulent administrations preceding the election of 1800, he left federal office when his party lost the presidency to Jefferson. Like the party he had a dozen years left, but during that time he drifted

out of the main current into the eddies of extremism away from constructive influence on national affairs.

Professor Welch has tailored his biography to suit the importance of his subject. In two hundred fifty pages of text he sketches a figure of second rank but one by no means negligible. Although Sedgwick could not perform at the level of Washington or Hamilton, he could make common cause with them and make his support sufficiently felt to elicit both respect and gratitude from them. He had genuine oratorical power, perhaps not quite up to the great tradition, and he used it effectively to support crucial Federalist measures in congress during the formative years. He did important jobs in committee as well as on the floor of the House and Senate. Sedgwick was far more than a makeweight in party voting. The Federalist period, then, is presented in a new perspective, related to a second rank actor, who yet is close enough to the pinnacle of leadership to count. Such a presentation has a kind of realism that accounts of the olympian doings of the very great—the Washingtons and Jeffersons—never quite convey. Through Sedgwick we are seeing with a different lens.

This study has admirable balance. Professor Welch neither glorifies nor debunks. Recognizing Sedgwick's talents, he weighs his merits but never attempts to pardon his offenses. The judgments are sound, if anything erring on the side of understatement rather than extravagance. "Technical" and "captious" cautiously describe the Jefferson-Madison indictment of Hamilton's conduct of the Treasury (pp. 108-110). Such charges against a cabinet member today would create a sensation and, if given any color of proof, would certainly be grounds for dismissal from office, perhaps impeachment.

Most important of all Professor Welch gives fresh insights into Federalist conceptions that explain how the party fell out of step with the times almost as soon as it had performed its function of implementing the constitution. For example, Sedgwick fought specific appropriations at a time when American statesmen began to move toward a modern, responsible handling of government finances that was to culminate in Gallatin's budgets. His prejudice against popular government led him, and other Federalists, toward the philosophy that later was to underpin the Alien and Sedition Acts. This misguided legislation, which helped defeat the party at the polls, passed on no sudden impulse. Its roots struck back into the Federalist past. Most revealing of all, Sedgwick's thinking during the Jefferson-Burr deadlock shows his failure to sense the direction of politics in the republic. Perhaps his inability to comprehend the import of contemporary events, to grasp intuitively

the subtle shifting of outlook in the electorate, was the limitation that kept Sedgwick from the ranks of the great. Like his party he had a function and he performed it. But, that done, he lacked a vision of the future and the flexibility to adapt to it. Consequently he became one of history's discards.

AUBREY C. LAND

University of Maryland

The Politics of Reconstruction 1863-1867. By DAVID DONALD. Baton Rouge: Louisiana State University Press. 1965. xviii, 105. \$4.00.

In recent years the Reconstruction era has been the center of much reevaluation. Such historians as John Hope Franklin and Kenneth Stampp have given new dimensions to the understanding of the period. In this series of three lectures, given for the Walter Lynwood Fleming Lectures in Southern History, Professor David Donald suggests a fascinating approach to the political complexity of Congressional politics. One perplexing problem has been to identify Radical and Moderate Republicans. To aid in its solution, Donald uses the techniques of the behavioral sciences and urges the putting aside of value judgments. In applying these techniques, he views the problem from the pragmatic assumption that a politician's chief concern is to be re-elected.

Lincoln's coalition of Radicals, Moderates, and War Democrats was held together by a calculated vagueness, which allowed no group to fully claim him. Johnson's attempt to maintain the coalition was wrecked by the Freedman's bill, and his break with the Radicals stemmed from practical considerations. In attempting to create a new combination, his efforts miscarried for two reasons: the strengthening position of Democrats and a misjudgment on the differences between Radicals and Moderates.

Despite the inter-party rivalry among Republicans, Donald found in analyzing their voting patterns and objectives that there was an amazing unity of party support for Congressional Reconstruction. To identify the two factions, Dr. W. R. Brock had earlier suggested the use of the roll-call on the preliminary test of the Reconstruction Act of 1867 as a crucial indicator. Donald, however, feels that there are six preliminary test votes which can be used. It was found that measures which involved the South, the Negro, and Reconstruction served as cohesive issues for Radical identification. Statistical data further indicated that Radicals were generally from safe districts, while Moderates, depending on some Democrats for election, came from marginal ones. In minimizing their ideological differences,

Donald suggests that if Moderates wanted to be re-elected, they were forced to temper Radical proposals. As a consequence, Congressional legislation was a product of the inter-action between the two factions and not of any one individual or group.

Students of the era will find these lectures brilliantly provocative. Donald's judicious use of statistics and generalizations provide penetrating insights into the complexity of the Republican party. The numerous charts, graphs, and tables in the book are used with telling effect. This book will certainly be a point of departure for a more definitive account of Reconstruction politics.

RICHARD R. DUNCAN

University of Richmond

Generals in Blue: Lives of the Union Commanders. By EZRA J. WARNER. Baton Rouge: Louisiana State University Press, 1964. xxv, 680. \$15.

The stream of Civil War literature seems never to run dry. This interesting book contains short biographies of the 583 men who achieved the rank of general officer in the Union Army. The author has labored for many years to assemble this information from many different sources. He has even included photographs of all of them.

In 1959, Mr. Warner published his *General in Gray*, which is a companion volume. It is a fascinating preoccupation to compare and contrast the Union leaders with their Confederate counterparts. While nearly six hundred wore the blue, only 425 wore the gray. Slightly more than three-quarters of the Union generals were professional soldiers, lawyers and businessmen while less than thirty per cent of the Confederates had this type of background. Many more Confederates were farmers.

Many of the Union generals are today obscure military leaders. Some are almost completely forgotten, while others were better known off the battlefield than on it. Many of them were young men, while a few were born in the eighteenth century. A few even lived until the first quarter of the twentieth century.

Warner lists twenty Union generals who were born either in Maryland or the District of Columbia. Probably the best known of these were Robert C. Buchanan, William H. Emory, William H. French, and John R. Kenly. Many of the twenty had no other local connections other than that of having been born here.

This is a handy source book of information about the leaders of the Civil War. Warner has included not only the basic facts about each man, but in addition, he has noted minor details. This

might be a fault of the book, but it serves to make each biography one with great human interest.

FRANK F. WHITE, JR.

Maryland Hall of Records

Naval Documents of the American Revolution, Vol. I. Edited by WILLIAM BELL CLARK. With a foreword by President Kennedy and an introduction by Rear Admiral Ernest McNeill Eller, USN (Ret.), Director of Naval History. Washington, D.C.; G.P.O., 1964. xliii, 1451. \$9.

"The meaning of the sea to the United States in the War for Independence has been comprehended by few Americans—had it been, each generation would have more wisely employed its growing influence upon our destiny and therefore upon that of liberty itself." Thus writes Rear Admiral Ernest M. Eller, USN (Ret.), Director of Naval History, in his introduction to the first volume in a new series of government publications relating to the history of the U.S. Navy. This first volume in a series which may eventually run to fifteen volumes is an ambitious tome. Here are 1500 pages of original letters, excerpts from diaries, news clippings, memoranda, broadsides, minutes of public meetings, ships' logs, public and private documents of every description. The compilers have ransacked garrets, fireproof vaults, libraries of all sorts, in public and private hands, historical societies from coast to coast, as well as repositories abroad.

For forty years the editor of the series, William Bell Clark, a well known writer in the field, has been collecting transcripts of documents relating to the naval side of the American Revolution, and his copious store is being levied upon for this series. As the researchers came to grips with the American Revolution they began to realize that the subject opens up extensively. "It encompassed," writes the editor, "not just the Continental Navy, but the fleets of George Washington in New England waters and off New York, those on Lake Champlain, and on the lower Mississippi, navies in eight of the revolting colonies, letters of marque and reprisal, the British Navy, the French Navy, ejection of a half-dozen Royal Governors, the problems and plight of naval prisoners, and weaving throughout, the constant and perilous efforts to secure munitions of war from the foreign West Indies and abroad."

The reader who browses in this book will find it divided into two time-blocks of six or seven months each, with a section in each period devoted to American documents and another to European. The first time-block, December 1774 to May-June 1775, includes

the opening of the conflict and the battles of Lexington and Concord; the second time-block, May-June 1775 to August-September 1775, covers the reactions to the first overt occurrences and the squaring away for the contest.

This new series of naval-related documents which is now getting under way on the eve of the two hundredth anniversary of the Revolution is conceived on a grand scale. The compilers do not box themselves in with any rigid interpretation of what is or is not "naval-related." Hundreds of items in the book, indeed, are rather remotely connected with naval matters, but they have political, social, and economic implications which indirectly affect naval potential and policy.

This first volume, appropriately, is dedicated to the late President Kennedy, who in his brief foreword to the book noted that these documents "tell the story of courage and valor which established the high traditions of the American Navy—and which, ever since, has inspired and fortified the American people in times of crisis."

This first volume in the new series is a worthy first tribute in celebration of the two hundredth anniversary of the War of the American Revolution.

RICHARD S. WEST, JR.

U. S. Naval Academy

Pilots of the Bay and River Delaware and Lewes Lore. By JAMES E. MARVIL. Sussex Press, Laurel, Delaware. 1965. 404. \$10.75.

In his previous book, *Sailing Rams: A History of Sailing Ships Built In and Near Sussex County, Delaware* (1962), Dr. Marvil wrote of the Chesapeake and Delaware rams and the men who built and sailed them. For his present book he has conducted intensive research into the story of the Delaware River pilots and has delved deeply into the history of Lewes, Delaware.

Using newspapers and every other source at his command, Dr. Marvil first considers the history of piloting on the Delaware, including legislation concerning it; then he describes navigation on the river today and gives the history of the Pilots Association, a description of their boats and the requirements of a pilot, and also a list of pilots.

Chapter VI, "Extracts from *Delaware Pilot*" contains a careful selection and depicts the maritime life of Lewes and its seafaring men for forty-three years, beginning with 1792.

The history of Lewes, a small town snuggled against the sand dunes of the mouth of America's fourth largest river, is virtually complete. The river was first sighted by Hendrick Hudson in 1609,

and the town was founded in 1638. Dr. Marvil's erudite history includes names and stories of doctors, ship agents, important wrecks, reminiscences of pilots, pilot boat disasters and complaints, and information from ledgers and records of all kinds on pilots and piloting.

The book contains 114 illustrations: photographs of records and portraits; pilot boats, lighthouses, light vessels, wrecks; the U.S.S. *Delaware*; the colossal freighters and tankers that use the river today and the plants to which they carry oil and ores.

For anyone interested in the sea, in ships, or in trade, this book should be required reading.

RICHARD H. RANDALL

Maryland Historical Society

Lucas Genealogy. Compiled and published by ANNABELLE KEMP.
1717 Sunset Plaza Drive, Hollywood, Calif. 90069. 495. \$15.00.

This well-produced genealogy on the family of Lucas contains much to interest Marylanders, and since there is no attempt to connect any Lucas with British or European nobility it is refreshingly free of "no doubt," "perhaps," "it is likely that."

The chapter on the Lucas family in England is well documented by an English professional genealogist, and this pattern is continued throughout the remainder of the book where the various Lucas families in America are discussed. Almost one hundred pages deal with Lucas families in Prince George's County (Thomas, Thomas Jr., Colonel Barton, John and James), and with the Lucases in Frederick County (Charles, Thomas, Elizabeth Lucas-Moore). There are also about seventy pages on Pennsylvania Lucases in Greene and Fayette Counties.

Much of the Maryland information derives from the manuscripts of Wilson Miles Cary, professional genealogist. His research was carried out in 1898 and the complete file is now in the Maryland Historical Society.

Apart from the excellent documentation, the index is exhaustive, with about 7,500 names, including over 1,300 references to the name Lucas.

P. WILLIAM FILBY

Maryland Historical Society

West Virginia Civil War Literature: An Annotated Bibliography.

By CHARLES SHETLER. Morgantown: West Virginia University Library, 1963. xii, 184. \$5.00.

This small volume contains a bibliography of approximately 900 titles of books, periodical articles, theses, and broadsides all relating to the Civil War history of West Virginia. While this compilation is not primarily concerned with the politics of statehood, it does include items dealing with the political history of the State between 1861 and 1865. The contents of each title are abstracted. In a state which did not play as great a role in the conflict as did Maryland or Virginia, for example, one is surprised at the large quantity of Civil War writings about West Virginia which exist. One cannot help wondering how large a Civil War bibliography might be compiled about Maryland. Perhaps this might be an interesting project for someone to undertake.

FRANK F. WHITE, JR.

Maryland Hall of Records

BOOKS RECEIVED FOR REVIEW

- American Railroad Journal*, 1966 ed. San Marino, Calif.: Golden West Books, 1965. 120. \$5.95.
- The Northern Colonial Frontier, 1607-1763*. (Histories of the American Frontier series). By DOUGLAS EDWARD LEACH. New York: Holt, Rinehart and Winston, Inc., 1966. xviii, 266, \$5.75.
- General Grant by Matthew Arnold With a Rejoinder by Mark Twain*. Edited with an Introduction by JOHN Y. SIMON. Carbondale, Ill., Southern Illinois University Press, 1966. 58. \$4.25.
- Rebels on Lake Erie*. By CHARLES E. FROHMAN. Columbus, The Ohio Historical Society, 1965. v, 157.
- The Shackles of Power: Three Jeffersonian Decades*. By JOHN DOS PASSOS. Garden City, N. Y.: Doubleday & Company, Inc., 1966. 426. \$6.95.
- A Walk in Georgetown*. Text and photographs by MARY MITCHELL. Barre, Mass.: Barre Publishing Company, 1966. 95.
- General de Kalb, LaFayette's Mentor*. By A. E. ZUCKER. Chapel Hill: University of North Carolina Press, 1966. No. 53 in Studies in the Germanic Languages and Literature. IX, 251. \$7.
- A Bibliography of Delaware Through 1960*. Compiled by H. CLAY REED and MARION BJÖRNSON REED. Newark, Del.: University of Delaware Press, 1966. Published for The Institute of Delaware History and Culture. vi, 196. Paper \$5. Cloth \$7.50.
- Society for the History of the Germans in Maryland: Thirty-second Report*. Edited by KLAUS G. WUST. Baltimore: The Society for the History of Germans in Maryland, 1966. 74. Paper \$2.50.
- 1787: The Grand Convention*. By CLINTON ROSSITER. New York: The Macmillan Company, 1966. 442. \$7.95.
- Indian Paths of Pennsylvania*. By PAUL A. W. WALLACE. Harrisburg: The Pennsylvania Historical and Museum Commission, 1965. viii, 227. \$6.
- The Ordeal of the Constitution: The Antifederalists and the Ratification Struggle of 1787-1788*. By ROBERT ALLEN RUTLAND. Norman, Okla.: University of Oklahoma Press, 1966. xiii, 329. \$6.95.

NOTES AND QUERIES

Bibliographical Notes and Queries—This new department of the *Maryland Historical Magazine* is to be devoted to notes, comments, and questions on books and other printed materials relating in some way to Maryland. The Editor hopes that it will elicit information about Maryland and the printed sources of Maryland history that would not otherwise become generally known. Contributions to this new section should be sent to the Librarian, Mr. P. W. Filby.

The Association for the Study of Negro Life and History will hold its Fifty-first Annual Meeting in Baltimore at the Sheraton-Belvedere Hotel, October 21, 22, and 23, 1966. Persons interested in attendance or participation are invited to contact Roland C. McConnell, Chairman of Arrangements, or Walter Fisher, Program Chairman; Morgan State College, Hillen Road and Coldspring Lane, Baltimore, Maryland 21212.

American Library Association—"The Pursuit of Place Names" is the subject of meeting arranged by the History Section of the ALA Reference Services Division for the American Library Association Conference in New York City July 10-16, 1966. This meeting is to be held at 10:00 A.M., Wednesday, July 13, and will be open to those registered at the Conference. The following program is planned: "The Library as a Place for Place Names," Thelma E. Smith, Deputy Librarian of the Municipal Reference Library of New York City; "The Literature of American Place Names," Richard B. Sealock, Librarian of the Kansas City Public Library; "A Place Called Vinland," Thomas Marsden, Curator of Medieval and Renaissance Literature at Yale University Library.

Elizabeth Faries, Chairman
Communications Committee
Reference Services Division History Section
American Library Association

William B. Hesseltine Award—The State Historical Society of Wisconsin is pleased to announce the establishment of the WILLIAM B. HESSELTINE AWARD for the best article to appear in the *Wisconsin Magazine of History* each year, beginning with 1965-1966. The award-winning article, to be chosen by a panel of judges

from articles published during the previous year, will consist of \$100. The winning article will be announced annually in the autumn issue of the *Magazine*. Manuscripts and queries should be addressed to: Editor, *Wisconsin Magazine of History*, 816 State Street, Madison, Wisconsin 53706.

The Society of American Historians takes pleasure in announcing the winners of its 1965 Prize Competitions. The Francis Parkman Prize of a bronze medal and \$500 went to Daniel J. Boorstin of the University of Chicago for *The Americans: The National Experience*, published by Random House. The Parkman Prize is awarded annually to the published book of American history or biography which is outstanding for literary excellence and scholarship. The Allan Nevins Prize of \$1000 was awarded to Robert L. Beisner of American University for "The Anti-Imperialist Impulse: The Mugwumps and the Republicans, 1898-1900." The Nevins Prize is awarded annually for the Ph.D. dissertation in American history or biography which is outstanding for literary excellence and scholarship.

New York State Historical Association Seminars—Annual Seminars on American Culture will be presented in Cooperstown, New York, between July 3-8 and 9-16, 1966. Each week three afternoon courses will be offered, open to Americana enthusiasts of all ages and occupations at a reasonable cost.

Frederick L. Rath, Jr.
Vice Director
New York State Historical Association
Cooperstown, N. Y. 13326

An English View of the University of Maryland—1825—As a minor supplement to the valuable material in Professor George Callcott's recently published history of the University of Maryland, it might be worth noting that the University enjoyed a European reputation long before the twentieth century. During the pioneer days of the institution, when it boasted one of the earliest faculties of medicine and law in the United States, the legal branch received very favorable notice in an English periodical, which was otherwise noted for a decidedly supercilious attitude toward the United States.

In 1820, Sydney Smith published his challenging assault on American literature in the *Edinburgh Review*, asking the famous question, "Who reads an American book?" Five years later, the Tory rival of the *Edinburgh*, *Blackwood's Magazine*, published in an

even more vitrolic spirit a devastating attack on virtually every author of the United States in print. The attack, anonymous was the custom, consisted of an encyclopedic listing of names with comments. The series in five installments was entitled "American Writers." The reference to the University of Maryland came in the entry devoted to David Hoffman, printed below in entirety [January 1825, p. 57]. Unlike the majority of the entries, the remarks were uniformly favorable.

HOFFMAN—DAVID—Professor of Law in the University of Maryland—a highly respectable institution; but no University. It is, in fact, only a medical college; with a law faculty, of which Mr. H. is the professor.—He is the author of a small work, of which we think very highly.—He calls it "A COURSE OF LEGAL STUDY."—His views are more extensive, by far, than those of any other person, who *professes*, or lectures upon law, in America; and, with a few trivial exceptions, dignified, worthy, and admirable. He teaches that men are not lawyers by intuition: that he, who is called upon to expound law, *may* have occasion to know what he is talking about; *may* wish that he knew something of history, legislation, languages. He would have the name of a lawyer something more than a by-word among men—a reproach—a nick-name.

For English journalism of this period, this description of Hoffman is amazingly complimentary, as comparison with the entries in the same series for almost any of the other American writers will indicate. It is also a favorable view of Maryland as an institution of learning when compared with the description of Harvard in another article in *Blackwood's* of the same year ["Late American Books," September, p. 332]:

Harvard University,—a college, three miles out of Boston, Massachusetts, where the chief scholarship of North America is gathered, as about a nucleus; and where all the Yankee teachers are confederated, as it were, beneath one roof,—a body of wise men, who pursue light-horse, a twelvemonth after a charge, with two-and-forty pounders; forage, with mortars; and skirmish, with elephants.

Although not pertinent to the English reputation of the University of Maryland, it may be added that the anonymous series on "American Writers" came from the pen of John Neal, a native American then residing in London. Neal had previously studied law in Baltimore, probably with David Hoffman.

Cazier Family—Is an organization of the Cazier family in Maryland in existence? Please send all information possible to Mrs. Ruth Cazier Curtiss, Marengo, Ill., 60152.

Navassa Island—Will Mrs. Freeman of the Washington, D.C. area who recently contacted me by telephone with reference to research material for a monograph on Navassa Island and the guano trade please call me again? Tel.: 203-938-2294.

Leonard M. Fanning
Redding Center, Conn.

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